

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17672 of 2025

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Birendra Kumar Son of Late Bhola Yadav, Resident of Village- Jhokayar,
Ward No. 16, Post Office- Gelhia, Police Station - Pipra, District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Higher Education, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Madhepura.
4. The District Education Officer, Madhepura.
5. The District Programme Officer, Secondary, Education Department, Madhepura.
6. The Chairman, Bihar School Examination Board, Higher Secondary, Patna.
7. The Director (Educational) Bihar School Examination Board, Higher Education, Patna.
8. The President of Mahanth Mahavir Moti Visheshwar College, Shahpur, Gwalpara, Madhepura.
9. The Secretary, Mahanth Mahavir Moti Visheshwar College, Shahpur, Gwalpara, Madhepura.
10. Mr. Dinesh Kumar, The Secretary-cum-Principal, Mahanth Maheshwar Moti Visheshwar College, Shahpur, Gwalpara, Madhepura.
11. Kailash Chandra Yadav, Secretary-cum-Member Teacher representative retired Principal of Mahanth Maheshwar Moti Visheshwar College, Shahpur, Gwalpara, Madhepura.
12. Mithilesh Kumar, the Lecturer in Mahanth Maheshwar Moti Visheshwar College, Shahpur, Gwalpara, Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Adv.
For the Respondent/s : Mr. Government Advocate 02

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-11-2025

Heard the parties.

2. The petitioner has approached this Court for



the following reliefs:-

“(I) For issuance of the writ in the nature of Mandamus commanding the Respondents to appoint the petitioner on the post of Principal in Mahanth Mahavir Moti Visheshwar College, Shahpur, Gwalpara, Madhepura after removing the Respondent No. 10 from the post of Principal of the aforesaid College who is junior than the petitioner and the petitioner is the senior most teacher in the College.

(ii) For issuance of writ in the nature of Mandamus commanding the Respondents to take legal and disciplinary action against Respondent No.11 and 12 who have misappropriate and defalcated the amount of Grant aid received from State Government in large and huge quantity.

(iii) For issuance of writ in the nature of Mandamus commanding the Respondents to make verification of the amount of grant in aid received from State Government which was misused and distributed among wrong persons by Respondent No.11 and 12 and to recover entire amount from Respondent No.11 and 12.

(iv) For issuance of writ in the nature of Mandamus commanding the Respondents to distribute the grant in aid amount among real and working teaching and non-teaching employees in equal proportionate.

(v) For any other appropriate order, direction save and except in accordance with law.”

3. After some arguments, learned Advocate for the petitioner submitted that for redressal of the grievance, aforenoted, the petitioner has approached



before all the concerned authorities of the State Government, including the Chairman and Director (Academic) of the Bihar School Examination Board by filing various representations; the copies of which have also been placed on record as annexure-5 (series).

4. Learned Advocate for the Bihar School Examination Board prays for a shot adjournment to seek instruction and file a counter affidavit.

5. Considering the nature of the grievance, this Court, instead of keeping the matter pending, deems it fit and proper to dispose of the same with a liberty to the petitioner to file a detailed representation before the Director (Academic), Bihar School Examination Board, Higher Education, Patna, preferably, within a period of four weeks from today. In case, such representation is filed, the same shall be considered and disposed of in accordance with law, preferably, within a further period of twelve weeks.

6. It is made clear that before disposal of the representation, in case any adverse order is to be passed against any of the person, he must be given opportunity of



hearing.

7. Accordingly, the writ petition stands disposed
of.

brajesh/- (Harish Kumar, J)

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