

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.425 of 2025

Manuel Kisku Son of Late Paul Kisku, resident of village- Rahima, Police Station - Chakai, District - Jamui. At present Pauls Villa Vikas Nagar, Kothiya, Kurji, Patna, P.O. - Sadaquat Ashram, District - Patna.

... .. Petitioner/s

Versus

1. The Bihar School Examination Board through its Chairman, Patna.
2. The Chairman, Bihar School Examination Board, Patna.
3. The Secretary, Bihar School Examination Board, Patna.
4. The Chief Vigilance Officer-cum-Inquiry Officer, Bihar School Examination Board, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Suresh Kumar, Advocate Mr. Arbind Kumar, Advocate Mr. N.K. Marandi, Advocate
For the BSEB	:	Mr. Satyabir Bharti, Sr. Advocate Mr. Abhishek Anand, Advocate Ms. Kanupriya, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-01-2025 Heard Learned Counsel for the petitioner and Learned Senior Counsel for Bihar School Examination Board.

2. Learned Counsel for the petitioner submits that the present writ petition has been filed for setting aside the office order contained in Memo No.72 dated 16.01.2024 issued by Secretary, Bihar School Examination Board, Patna (annexed as Annexure-13) whereby and whereunder the petitioner has been inflicted with major punishment of compulsory retirement from service with immediate effect in terms of Regulation 5 (vi) of Chapter 10 of Bihar School Examination Board Regulations, 1964 and nothing shall be payable except Subsistence allowance



paid earlier during suspension period. And alternatively, to dispose of the pending Appeal of 2024 (E-2616082/02.03.2024) before Respondent no.2 against the office order contained in Memo No.72 dated 16.01.2024.

3. Learned Senior Counsel for Bihar School Examination Board submits that it is true that petitioner's appeal is pending. Senior Counsel further submits that under law, it is the Board who is the competent authority to hear appeal.

4. As such, in the light of the submissions made, this Court hereby directs the Chairman, Bihar School Examination Board, Patna (Respondent no.2) to do the needful so that final order be passed in appeal within 90 days from the date of production of the order. It is made clear that the Board is headed by the Chairman, therefore, this responsibility is upon the Chairman that meeting of the Board be placed within time and order of the Court be complied within the said period.

5. Accordingly, with the aforesaid direction, this writ petition stands disposed off.

(Dr. Anshuman, J)

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