

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6385 of 2017

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Lakhan Lal Son of Late Soni Saw, Resident of Village-Mananpur, P.O.-
Mirganj, P.S.-Satgawan, District-Koderma.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Secondary Education, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Nawada.
4. The District Education Officer, Nawada.
5. The District Programme Officer, Establishment, Nawada.
6. The Block Education Officer, Govindpur, Nawada.
7. The Incharge Principal, Project Kanya Inter College, Govindpur, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate
For the Respondent/s : Mr.Smt. Binita Singh-Sc28

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

10 20-01-2026 Heard learned counsel for the petitioner and learned
counsel appearing for respondent-State.

2. In the present writ application, the petitioner has
mainly challenged the Memo No.228 (P) dated 07.05.2010
passed by Director, Secondary Education, Govt.of Bihar, Pana.

3. From perusal of the impugned order dated
07.05.2010 (Annexure-4), it is apparent that this order has been
passed by the Director, Secondary Education, Govt. of Bihar
based on the observation and recommendation made by Three
Member Committee which was constituted pursuant to orders



passed by the Hon'ble Supreme Court in Civil (Appeal) No.6626-6675 of 2001 along with Civil(Appeal) No.6676-6681 of 2001. The said report of the Three Member Committee has been brought on record by the respondent-State through supplementary counter affidavit and has been annexed as R/D.

4. Learned counsel for the respondent-State submits that since the impugned order dated 07.05.2010 is based on the Three Member Committee report constituted in light of Hon'ble Apex Court orders, the same cannot be questioned or challenged without challenging the Three Member Committee report. Learned counsel for the petitioner admits to the fact that the Three Member Committee Report has not been challenged by the petitioner and he seeks permission to challenge the same by filing the interlocutory application.

5. Considering the submissions made by both the parties, I am not inclined to grant opportunity to the petitioner to challenge the Three Member Committee Report now at this stage when the same was already in the knowledge of the petitioner way back in the year 2008 itself, as is apparent from the impugned order dated 07.05.2010.

6. Thus, in view of the fact that the foundational Report of the Three Member Committee (Annexure R/D) has



not been questioned or challenged by the petitioner, therefore, the consequential order dated 07.05.2010 based on the said report also cannot be allowed to be questioned in the present writ application.

7. For the reasons as aforesaid, this writ application is, therefore, dismissed.

(Alok Kumar Sinha, J)

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