
(2004) 02 PAT CK 0067
In the Patna High Court
Case No : L.P.A. No. 1188 of 2003

Bihar School Examination Board

APPELLANT

Vs

Kanhaiya Kumar Singh and Others

RESPONDENT

Date of Decision : 06-02-2004

Acts Referred:

Citation : (2004) 3 PLJR 312

Hon'ble Judges : Ravi S. Dhavan, C.J.; Shashank Kr. Singh, J

Bench : Division Bench

Advocate : R.K. Shukla, for the Appellant; Ganesh Pd. Singh and Bishnukant Dubey, for the Respondent

Final Decision : Dismissed

Judgement

1. This is an unfortunate appeal by the Bihar School Examination Board. This is apparent from the two paragraphs, one in the writ petition and the other in reply to it in the counter affidavit being placed side by side.

That the Petitioners have been informed that the clerk of the school went to the office of the Bihar School Examination Board on 6.8.2003 at about 2.15 P.M. and tried to deposit the same i.e. the registration forms along with all other relevant documents and the bank draft. But there he saw that the receipt counter was closed and a large number of persons were standing in queue for depositing the registration forms and about 3.30 P.M. the concerned clerk came and seeing the gathering of the persons intending to deposit their registration fees and forms said that it is not possible for him alone to receive all the forms and fees of all persons.

That with regard to the statement made in paragraph Nos. 9 to 18 of the writ petition under reply is concerned, it is baseless and concocted for getting wrongful benefit hence it is denied.

2. With no specific reply given to the aspect that it was the last date, a bank draft prepared on that particular day some how whatever be the reason it could

not be deposited. This is not an answer which the High Court has to give in its appellate division.

3. The decision of the learned Judge" on the writ petition should have been the end of the matter.

4. Dismissed.

5. A copy of this order be given to counsel for the parties within twenty four hours.