
(2009) 04 PAT CK 0154
In the Patna High Court
Case No : LPA No. 349 of 2009

Suresh Pandey and Others

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 30-04-2009

Acts Referred:

Citation : (2009) 3 PLJR 909

Hon'ble Judges : J.B. Koshy, C.J;Ravi Ranjan, J

Bench : Division Bench

Judgement

1. Heard learned counsel for the parties. Seven schools approached this Court stating that they were established between 1965 and 1981. They are recognized by Sanskrit Shiksha Board after the approval granted by the State of Bihar, but it can be seen that there was an order of recognition in favour of the schools by the Secretary of the Board on 20.4.1990 giving the school a right to admit the students and also allowed them to appear in the examination from the schools, but within 12 days thereafter the approval was stayed. So far, that stay was not vacated.

2. Contention of the writ petitioners-appellants is that thereafter several inspections were conducted but no final orders could be passed. Now, it is submitted that in the interest of the students, the students should be allowed to write the examinations. Without recognition these schools should not have admitted students. When the students approached this Court, on sympathetic ground an interim relief was granted in view of the interest of the students even though the schools had no recognition cannot be justified by the management of the schools, which admitted students knowing well that it had no recognition.

3. In our opinion we have no such power to grant recognition to an institution. It is to be considered by the respondent authorities. Recognition of an institution comes within the domain of the executive authority, which can after proper verification of the requirements may grant recognition.

4. Even though there is no prayer, we direct the Sanskrit Shiksha Board to consider the inspection reports and pass appropriate orders regarding recognition of the petitioners' institutions in accordance with law as expeditiously as possible but in any event within six months from the date of receipt/production of a copy of this order. The writ appeal accordingly stands disposed of.