
(2009) 02 PAT CK 0146
In the Patna High Court
Case No : CWJC No. 2244 of 2009

Suresh Pandey and Others

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 17-02-2009

Acts Referred:

Citation : (2009) 3 PLJR 866

Hon'ble Judges : Mihir Kr. Jha, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Mihir Kr. Jha, J.—Heard counsel for the petitioner and the counsel for Bihar Sanskrit Shiksha Board. Admittedly the status of the school of the petitioners is one of unrecognized institution. The story propounded by the petitioners in this writ application that there was an order of recognition in favour of the school issued by the Secretary of the Board vide Memo No. 658 dated 20th April, 1990 giving the school a right to admit the students and also allow them to appear in the examination from the school in its Prathma and Madhyama examination of the Board must be rejected on the face of it because within 12 days of issuance of such letter the Secretary of the Board had stayed the operation of the order. Thereafter, the recognition of the school has never been granted. The school, therefore, is out and out as unrecognized institution.

2. In that view of the matter, merely because in past such unrecognized institution was allowed by the authorities of the Board to send its students for examination would not give a legal right to also compel the Board to do so. An unrecognized institution cannot be allowed to send its students for examination of the Board. That being so, this application is misconceived and is accordingly dismissed.