

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.592 of 2026

1. Priyanka Kumari D/o Indra Kumar Yadav Resident of Gaurakshini Navtoli Mangrauni Ward No.- 16 P.S. and Block- Rajnagar District-Madhubani
2. Smt. Sarita Kumari, W/o Radheshyam Yadav Village and Post- Kataiya, P.S.- Benipatti District- Madhubani.
3. Birendra Kumar Singh, S/o Sri Narayan Singh Suman, Village- Kangraitha Post- Nahas Rupauli Ward No.- 10, P.S.- Bisfi, District- Madhubani.
4. Punita Kumari, W/o Late Sudhir Kumar Yadav Village- Bhore, Ward No.- 07 P.S.- Pandaul Madhubani.
5. Smt. Karuna Devi, W/o Sanjeev Kumar Singh Village- Narpatinagar P.S.- Pandaul District- Madhubani.
6. Rajiv Kumar Mishra, S/o Radhakant Mishra R/o Village- Navnagar, P.S.- Babubarhi District- Madhubani.
7. Rajan Kumar Yadav, S/o Indra Kumar Yadav Village- Kataiya P.S.- Benipatti District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through The Chief Secretary, Bihar.
2. The Additional Chief Secretary, Education Dept., Government of Bihar, New Secretariat, Patna.
3. The Director Bihar Education Project Council, Education Department New Secretariat Patna.
4. The Director Secondary, Education Human Resource Department Govt. of Bihar New Secretariat Patna.
5. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
6. The Secretary Bihar Sanskrit Shiksha Board, Patna.
7. The District Magistrate, Madhubani.
8. The District Education Officer, Madhubani.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 735 of 2026

1. Sushil Kumar Yadav S/o Lt. Narayan Yadav, Village-Gaurakshani, Navtoli Mangrauni, Ward No. 16, PS-Rajnagar, District-Madhubani.
2. Sanjiv Kumar Singh, S/o Bhupendra Narayan Singh, Village-Narpatnagar, Block-Pandaul, District-Madhubani.

... .. Petitioner/s

Versus



1. The State of Bihar through The Chief Secretary, Bihar, Patna.
2. The Additional Chief Secretary, Education Dept., Government of Bihar, New Secretariat, Patna.
3. The Director Bihar Education Project Council, Education Department, New Secretariat, Patna.
4. The Director Secondary Education, Human Resource Department, Govt. of Bihar, New Secretariat, Patna.
5. The Chairman, Bihar Sanskrit Shiksha Board, Patna.
6. The Secretary, Bihar Sanskrit Shiksha Board, Patna.
7. The District Magistrate, Madhubani.
8. The District Education Officer, Madhubani.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 592 of 2026)

For the Petitioner/s : Mr. Brajesh Verma, Adv.
For the State : Mr. Raghwanand, GA-11
For the BSSB : Mr. Shashank Shekhar Jha, Adv.

(In Civil Writ Jurisdiction Case No. 735 of 2026)

For the Petitioner/s : Mr. Brajesh Verma, Adv.
For the State : Mr. Prashant Pratap, GP-2
Mr. Asit Kumar Jha, AC to GP-2
For the BSSB : Mr. Shashank Shekhar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-09-2026 Heard learned Advocates appearing for the respective parties.

2. Since the issues involved in both the writ petitions are identical, with the consent of learned Advocates for the parties, the writ petitions have been taken up together and are being disposed of by this common order.

3. The petitioners before this Court are teaching and non-teaching employees of the Jhotan Anant Sanskrit High School (for short 'the School'). They have approached this



Court seeking a direction upon the respondents for grant of recognition to the School, situated at Village Navanagar, P.O. Khojpur, Sub-Division Babubarhi, District Madhubani.

4. Adverting to the facts pleaded in the writ petitions, it is submitted that, way back in the year 2014, the Principal of the School submitted an application, along with all the requisite documents, before the office of the District Education Officer, Madhubani, seeking grant of recognition to the School. The said application was thereafter forwarded to the Secretary, Bihar Sanskrit Shiksha Board (hereinafter referred to as “the Board”), for taking further necessary action in the matter of grant of recognition. It is further submitted that a report was duly submitted before the Special Director, Secondary Education, Government of Bihar, who, vide Letter No. 349 dated 01.04.2016, addressed to the Secretary of the Board, directed that necessary action be taken for grant of recognition, in accordance with the prescribed rules.

5. Notwithstanding the aforesaid fact, and despite the categorical report submitted by the District Programme Officer, Elementary Education-cum-Sarva Shiksha Abhiyan, Madhubani, expressing the opinion that the School fulfils the requisite criteria for grant of recognition, recognition has not



been granted to the School till date. Hence, the present writ petitions.

6. Counter affidavits have been filed on behalf of the State as well as the Board.

7. It is submitted that the grant of recognition to Sanskrit schools in the State of Bihar is governed by the provisions of the Bihar Non-Government Sanskrit Schools (Conditions for Recognition) Rules, 1993 (hereinafter referred to as “the Rules, 1993”). The criteria prescribed under the Rules, 1993, particularly Rule 5 thereof, categorically provides that, for the purpose of grant of recognition, the District Magistrate concerned shall get the School inspected and thereafter submit his recommendation, along with his opinion as to whether the School fulfils the requisite criteria for grant of recognition. In the event of a favourable report, the Chairman of the Board, in terms of sub-rule (3) of Rule 5, is required to forward the recommendation for taking necessary action in the matter.

8. Learned Advocate appearing for the Board further submits that, in view of the procedure prescribed under the Rules, 1993, a report from the District Magistrate is mandatory. According to him, the report presently brought on record appears to have been submitted by the District Programme



Officer to the District Education Officer and, therefore, the same cannot be treated as the report of the competent authority contemplated under the Rules, 1993.

9. Having considered the rival submissions advanced on behalf of the respective parties and upon perusal of the provisions of the Rules, 1993, this Court finds that the procedure prescribed under Rule 5 requires consideration of the application for recognition on the basis of a report/recommendation of the concerned District Magistrate.

10. In view thereof, this Court finds it apt and proper to direct the petitioners to file a fresh application, along with all requisite documents, before the Secretary of the Board seeking grant of recognition to the School, preferably within a period of four weeks from today.

11. In the event such an application is filed before the Secretary of the Board within the aforesaid period, the Secretary shall call for a report from the District Magistrate, Madhubani, in accordance with the provisions of the Rules, 1993. Upon receipt of such report, the Secretary/competent authority shall proceed to consider the claim of the School and take an appropriate decision in accordance with law and the applicable rules.

12. The entire exercise, as directed above, shall be



completed expeditiously and, preferably, within a period of three months from the date of receipt of the fresh application in the office of the Secretary of the Board at Patna.

13. With the aforesaid observations and directions, the present writ petitions stand disposed of.

(Harish Kumar, J)

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