

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22457 of 2011

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1. Rajendra Chaudhary Son Of Late Shankar Chaudhary Resident Of Village-Tiwari Tola, Anusuchit Jati Basti, Police Station-Bathwaria, Post-Maanpur Makari, District-West Champaran.

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Human Resources Development Department, Government Of Bihar, Patna.
2. The District Magistrate, West Champaran, Bettiah.
3. The Sub Divisional Officer, Bagaha, District-West Champaran.
4. The District Education Officer, West Champaran, Bettiah.
5. The Block Education Officer, Bagaha-I, West Champaran.
6. The Circle Officer, Bagaha-I, West Champaran.
7. The Head Master, Government Primary School, Tiwary Tola, Tesrahia, Bagaha-I, P.S.-Bathwaria, District-West Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiv Kumar Dwivedy
For the Respondent/s : Mr. Dinbandhu Singh Gp9

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 01-10-2015 Heard Mr. Dwivedi for the petitioner and the Counsel for the State.

Counter affidavit has been filed on behalf of the State.

In the writ petition, a prayer has been made for setting aside the order dated 17.10.2011 passed by the District Magistrate permitting the construction of the school on the land which was gifted in the name of the Hon'ble Governor but Mr. Dwivedi in course of submission has pressed the alternative prayer which pertains to a direction on the respondent to construct another school on the government land which is close to the village of the petitioner who belong to weaker section of the society.

It is the contention of the petitioner that one school was functioning there from before and some government land is also available in the vicinity.

In my view, where the school shall be constructed is the administrative decision of the State. However, the petitioner may ventilate his grievance before the authority to construct another school on the land which is close to the village/tola of the petitioner if the scheme provides any such scope therefor.

The writ application is disposed of.

(Kishore Kumar Mandal, J)

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