

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12273 of 2014

=====

Vijay Paswan S/o Late Laxmi Paswan Resident of Village Hasanpur Osti,
Block Mahua, P.S. Mahua, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Human Resource, Government of Bihar, Patna.
3. Principal Secretary, Department of Co-operative, Government of Bihar, Patna.
4. The District Magistrate-cum-Collctor, Vaishali at Hajipur.
5. The Sub Divisional Officer, Mahua, Vaishali.
6. District Co-operative Officer, District Vaishali.
7. The Circle Officer, Mahua, District Vaishali.
8. Block Development Officer, Mahua, District - Vaishali.
9. Block Education Officer, Mahua, District - Vaishali.
10. Head Master, Middle School, Osti, Mahua, District - Vaishali.
11. Officer-in-charge of Mahua Police Station, Mahua , Vaishali.

.... Respondent/s

=====

Appearance :

For the Petitioner	:	Mr. Rajeev Ranjan, Adv.
For the Respondents	:	Mrs. Namrata Mishra, GA. 13.
		Mr. Alok Ranjan, AC. to GA.
		Mr. Gyanendra Kumar Shukla, Adv.

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 07-01-2015 The petitioner claims to be the deputy
Mukhia of Panchayat- Osti, Mahua, Vaishali.

This writ petition is filed alleging that the respondents are proposing to construct a godown for Primary Agricultural Cooperative Credit Society (P.A.C.C.S.), within the premises of the Middle School,

Osti.

Smt. Namrata Mishra, learned advocate, has received notice for the respondents and obtained instructions.

Heard learned counsel for the petitioner and learned counsel for the respondents.

Learned counsel, who appeared for the owner of the land, has also advanced arguments.

The record is not clear as to the exact extent of the land earmarked for the school as well as its boundaries. Though some correspondence is placed before this Court, it is not final and clear. We find it difficult to record a specific finding under these circumstances.

However it is the duty of the authorities of the Government to ensure that no land owned by the school is put to any other use, and to resolve the boundary disputes, if any, in this behalf.

We, therefore, dispose of this writ petition directing that the District Collector, Vaishali, i.e. Respondent No.4, shall take necessary steps to get the land of the school demarcated, after issuing notice to the concerned, within a period of thirty days from today. The

construction of the godown shall be deferred till that time. Necessary step shall also be taken to ensure that no part of the land of the school is put to any other purpose.

Interlocutory application, if any, stands disposed of.

There shall be no order as to costs.

(L. Narasimha Reddy,CJ)

(Rajendra Kumar Mishra, J)

Shail/K.C. Jha-

U			
---	--	--	--