

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8877 of 2011

=====

1. Kanhaiya Singh Son Of Madusudan Singh Resident of V. Sultanpur East, P.S. Mohiuddinagar, District – Samastipur.

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Director (Primary Education) Human Resources Development Department Govt. Of Bihar, Patna
3. The District Magistrate, Samastipur
4. The District Superintendent Of Education, Samastipur
5. The Circle Officer Mohiuddinagar, Samastipur
6. The Mukhiya Gram Panchayat Raj, Raspur Patasia
7. The Panchayat, Secretary Gram Panchayat Raj Raspur Patasia Panchim Sultanpur, Mohiuddinagar, Samastipur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. PRABHAT KUMAR SINGH

For the Respondent/s : Mr. MD. NASAROOl HODA KHA SC1

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 07-09-2015

Heard Mr. Amitab Bhardwaj for the petitioner and A.C. to S.C.

18 for the State.

A dispute of the nature raised in the writ application cannot be adjudicated in writ jurisdiction. The petitioner claims to have donated a piece of land for construction of a Primary School falling under Gram Panchayat Raj Raspur Patasia. The respondents have stated that there is *inter se* dispute between the two groups. Another group also want to donate land for construction of the school. In the light of resolution of the Gram Sabha, the State respondents have permitted the petitioner to donate the land in the name of the Governor. A fund

was also made available for construction of the school building.

In the counter affidavit, it has been stated that considering the conflict between the two groups, it was not found appropriate for the Headmaster of the School to proceed with the construction of the building. The grant/fund received from the government was returned.

The petitioner would be well advised to ventilate this dispute before the District Magistrate of the district as also the District Programme Officer who heads the Education Department in the district. Needless to observe that if any such issue is raised, those respondents will examine the grievance of the petitioner and make efforts to resolve the dispute so that the school gets a new building on its own land.

The writ application is disposed of.

(Kishore Kumar Mandal, J)

Pankaj/-

U		T	
---	--	---	--