

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4230 of 2015

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The Managing Committee Sardar Patel High School, Balbhadrapur, P.O.- Balaur,
P.S.- Kurhni, District- Muzaffarpur through its Chairman.

.... Petitioner/s

Versus

1. The State of Bihar through the principal secretary, Human Resources Development Department Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resources, Development Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Bihar, Patna.
4. The Regional Deputy Director of Education, Tirhut division, Muzaffarpur.
5. The District Magistrate, Muzaffarpur.
6. The District Education Officer, Muzaffarpur.
7. The District Programme Officer, (Est.) Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Respondent/s: Mr. NADEEM SERAJ- GP20

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 23-03-2015

A K Tripathi, J. Writ application is dismissed because the impugned order, especially Annexure-7 series dated 3rd May, 2013, has been passed by the Director, Secondary Education, on the basis of a previous direction, issued in CWJC No.1402 of 2013.

2. In view of the same, submission of the counsel for the petitioner that the Director has no jurisdiction to take a decision of the above kind, cannot be a basis for interfering with the said order because it will be over-reaching the previous judicial direction taken by the Court at the instance of the said petitioner.

3. Even otherwise the finding of facts given in the impugned order surely does not give any right in favour of the petitioner for reorganization to a non-existent and non-functional defunct institution.

4. Writ application is dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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