

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18497 of 2014

1. Ravishankar Sharma Son of Sri Ram Binay Sharma Resident of vill-
Masaurha,P.S-Paliganj,Distt.-Patna, the Chairman of School Education
Committee, ward No.4, Gram Panchayat Raj, Masaurha-Jalpura,P.S-
Paliganj,Distt.-Patna.

.... Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Human Resources
Development Department, Govt.of Bihar, Patna
2. The Principal Secretary, Department of Panchayat Raj, Govt.of Bihar, Patna
3. The District Magistrate, Patna
4. The District Education Officer,Patna
5. The District Programme Officer, Primary Education and Sarv Shiksha Abhiyan,
Bihar Shiksha Pariyojana Parishad, Patna.
6. The Block Development Officer, Paliganj, Patna
7. The Block Education Officer, Paliganj, Patna

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Advocate
For the B.P.S.C. : Mr. G. Kumar, Advocate
For the State : Mr. Sanjay Prasad, AC to AAG-6

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT

Date: 21-01-2015

Truth can only be one and the same cannot vary
from person to person specially, when two kind of factual position
emerges from communications originating from the office of Block
Development Officer, Paliganj. One is letter no. 1801, dated
09.09.2014, addressed to the District Programme Officer, Primary
Education-cum- Sarv Shiksha Abhiyan and the other is letter no.
92, dated 14.01.2015. Obviously, there is something drastically a

miss and there seems to be some kind of motive in the letters in questions because the school is one, the location is fixed, and it cannot lie in two different wards.

The Court was inclined to quash the impugned order, keeping in mind the latest letter of the Block Development Officer, Paliganj, dated 14.01.2015, but to ensure that the dispute is set to rest after due verification of the position with regard to correctness of the two positions, the Court directs the District Programme Officer, Primary Education-cum- Sarv Shiksha Abhiya, Patna to pass a final order on the dispute within eight weeks of production of a copy of this order. If the said authority i.e. respondent no. 5, fails to carry out the direction within the time frame indicated, the Court will hold him personally responsible.

Writ is disposed of with the above direction.

The previous order of dissolution of the body in question will be subject to the final decision, so rendered by respondent no. 5, and he shall not be bound by the earlier decision taken in controversial circumstances.

(Ajay Kumar Tripathi, J)

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