

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No.942 of 2015

Ku. Harsha Jani, D/o. Shri Labhshankar Jani, aged about 57 years, R/o. Nayapara, Pandit Motilal Nehru Ward No.15, Jagdalpur, District -Bastar, C.G.

---- Petitioner

Versus

1. State of C.G. Through the Secretary, Department of School Education, Ministry, Mahanadi Bhawan, New Raipur, District -Raipur, Raipur C.G.

2. District Education Officer, School Education Department, Near Hata Ground, Jagdalpur, District -Bastar C.G.

3. Block Education Officer, School Education Department, Block Jagdalpur, District -Bastar, C.G.

---- Respondents

For Petitioner	:	Shri Alok Kumar Dewangan, Advocate
For Respondents/State	:	Shri Manish Nigam, Panel Lawyer

Order On Board

20/07/2015

Heard.

1. Though time was granted to respondents to file return, learned counsel for the petitioner prays for disposal of the writ petition on the similar terms as ordered by this Court on 13.7.2015 passed in W.P(C) No.1184 of 2015.
2. Learned counsel for the State submits that if any such direction is issued, the District Education Officer shall consider the matter. On behalf of the petitioner, it is submitted that the decision to merge the school of the petitioner along with other school is contrary to the policy of the Government. He submits that in the petitioner's school, there are 62 students and the distance of the other school with which the petitioner school is proposed to be merged is more than 1.5 k.m.
3. Learned State counsel also submits that the relief has been sought on certain factual assertions which are matters of inquiry.
4. Considering that the issue relates to running of a Govt. school to cater to the needs

of students, it would be appropriate to direct competent authority namely District Education Officer to inquire into the matter particularly with reference to petitioner's assertion with regard to number of students and the distance both. If the petitioner moves a fresh application before the concerned District Education Officer with details number of the number of students and distance etc., the District Education Officer shall hold a summary inquiry within a period of 15 days from the date of receipt of copy of this order. Time bound direction is being given taking into consideration that any delay would adversely affect the studies of the students. Therefore, the District Education Officer shall strictly comply with the time limit granted by this Court. Any delay in decision of the matter shall call for strict action.

5. With the above directions, the petition is disposed off.

Sd/-

(Manindra Mohan Shrivastava)

Judge