

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1937 of 2014

1. Dhirendra Narayan Singh Son Of Mahendra Narayan Singh  
Resident Of Village + P.O. Baurna, P.S. Gogri, District - Khagaria

.... .... Petitioner/s

Versus

1. The State Of Bihar through The Principal Secretary, Department Of Education, Govt. Of Bihar, Patna
2. The Director, Secondary Education, Department Of Education, Govt. Of Bihar, Patna
3. The Director Bihar Education Project Council ( State Level Office ), Patna Bihar Shiksha Bhawan, Rashtra Bhasha Parishad Campus, Saidpur, Rajendra Nagar, Patna
4. The District Magistrate, Khagaria At Khagaria
5. The District Magistrate Cum - District Executive Committee Bihar Education Project Khagaria At Khagaria
6. The District Education Officer, Khagaria at Khagaria
7. The District Superintendent of Education, Khagaria at Khagaria
8. The District Programme Officer, Sharva Shiksha Abhiyaan, Khagaria At Khagaria

.... .... Respondent/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Singh, Advocate

For the Bihar

Education Project : Mr. Girijesh Kumar, Advocate

For the State : Mr. R.K.Roy, GP-18

**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR  
MANDAL**

ORAL JUDGMENT

**Date: 04-08-2016**

Heard the counsel for the petitioner, the counsel for  
the Bihar Education Project and the State.

Impugned in the writ application is the

communication dated 21.10.2013 (Annexure-1) issued by the State Project Director, Bihar Education Project selecting a particular place for housing the Madhya Vidhyalaya, Baruna.

It is stated that the father of the petitioner had donated a land for the construction of the school. The school was constructed thereover. By the impugned communication dated 21.10.2013, it is sought to be changed.

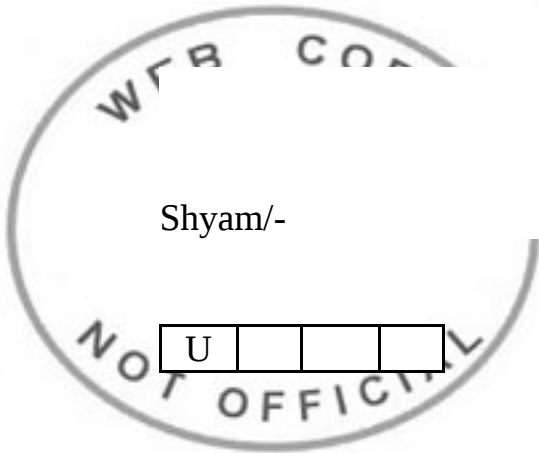
Mr. Singh, on instruction, states that during the pendency of the application another report has been submitted by the District Magistrate in 2015 for allowing the construction of the school building on the land donated by the family of the petitioner.

Learned counsel for the Education Project, however, submits that the selection of the plot and construction of the school is a policy decision and the State Project Director is the competent authority to take a decision in this regard.

If that be the case then the petitioner would be at liberty to approach the District Magistrate or any other appropriate authority for fresh consideration of his grievance in the light of the opinion/ report submitted by the District Magistrate after the filing of the present writ petition.

Needless to observe if any such representation/application is filed, the same shall receive due

consideration at the hands of the concerned respondents.



**(Kishore Kumar Mandal, J)**

Shyam/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|