

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9537 of 2015

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1. Government Middle School, Akhtiyarpur, Sherpur Manikpur Panchayat, Block- Mahua, P.O.- Bhanborhan, P.S.- Mahua, District- Vaishali, Bihar, through its Secretary.
 2. Mrs. Sanju Devi, wife of Arvind Kumar Singh Resident of Village- Akhtiyarpur, Block- Mahua, P.O.- Bhanborhan, P.S.- Mahua, District- Vaishali, Bihar.

.... Petitioners

Versus

1. The State of Bihar
2. The Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Tirhut Pramandal, Muzaffarpur.
5. The District Magistrate, Vaishali, Hajipur.
6. The District Education Officer, Vaishali, Hajipur.
7. The Block Education Officer, Mahua, District- Vaishali.
8. Upgraded Middle School, Parmanandpur, P.O.- Chitrauli, P.S.- Mahua, District- Vaishali, Bihar, through its Secretary.

.... Respondents

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Appearance :

For the Petitioners	:	Mr. Rajendra Prasad Singh, Sr. Aadvocate Mr. Mukesh Kumar Singh, Advocate
For the State	:	Mr. P.K. Verma, A.A.G.5 Mr. Mankeshwar Tiwari, A.C. to A.A.G.5
For Res. No.8	:	Mr. Ravi Kumar Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 03-03-2016

A Division Bench of this Court has already opined that

up-gradation of a school is not justiciable. As such, these are matters which are required to be decided at the local level by the concerned authority keeping in mind the interest of the students. The decision in public interest is required to be taken. The petitioner is free to agitate such issue before the competent authority dealing with such matter. The Court has nothing to offer in this regard by way of a direction or mandamus.

It is pointed out by the counsel for the private respondent that this matter had already been agitated earlier and the decision taken on the basis of the previous litigation.

Writ application is disposed of.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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