

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6801 of 2015

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Punam Mehta Daughter of Shri Ram Dev Mehta, Residen of Mohalla- Pateki Bag
Diwan Mohalla, ward No. 59 Patna-8 P.O.- Jhauganj, P.S.- Chowk Patna City
District Patna.

.... Petitioner

Versus

1. The State of Bihar
2. The Chief Secretary Bihar Patna.
3. The Director, Education, Bihar, Patna.
4. The Principal Secretary, Education, Bihar, Patna.
5. The District Magistrate, Patna.
6. The District Education Officer, Patna.
7. The D.D.C., Patna.
8. The Sub-Divisional Education Officer, Patna City (Sadar), Patna.
9. The Block Education Officer, Patna City, Patna.
10. The Principal Narayani Girls Middle and Madhyamik School, Patna City, Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Suresh Prasad Singh, Advocate
For the State : Mr. Mithilesh Kumar Pathak, S.C.7

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 11-02-2016

The issue raised by the petitioner in the present writ application creates a situation where there is clash of interest between one public cause vis-à-vis another public cause. It is a matter which does require some serious consideration at the highest level in the government so that the interest of the institution vis-à-vis the interest and the object for which resiting is being contemplated can be harmoniously dealt with.

The Court surely has sympathy with the cause raised by the present petitioner in the present writ application but looking at the

larger reason why relocation is being contemplated, the Court gives liberty to the petitioner to approach the Chief Secretary as well as Principal Secretary, Education who will look into the grievance of the petitioner as well as direct the concerned authorities to ensure that the minimum disturbance is caused to the students who are pursuing their studies and the location of the school is decided in such a manner where the students' interest and safety are not jeopardized in any manner.

On an application being filed, a decision must be taken within a period of four weeks preferably by giving an opportunity of hearing to the representatives of the institution or the petitioner.

Writ application stands disposed of with the above direction and liberty.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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