

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5648 of 2015

1. Mohan Kumar Mandal, S/O Late Bhola Mandal Resident of Village-
Dahipura, P.S.- Keoti, District- Darbhanga.

.... **Petitioner**

Versus

1. The State of Bihar, through the Principal Secretary Education
Department, Gov. of Bihar, Patna.
2. Director secondary Education, Bihar, Patna.
3. District Magistrate, Darbhanga.
4. District Education Officer, Darbhanga.
5. District programme Officer, Darbhanga.
6. Circle Officer, Keoti, District- Darbhanga.
7. Block education Officer, Darbhanga.
8. Mukhiya Gram Panchayat, Lalganj Panchayat.
9. Principal, Government Middle school, Maheshaganj Gathuli, Keoti,
Darbhanga.
10. Principal upgraded Middle school, Lalganj, Keoti, Darbhanga.
11. Circle Inspector, Keoti, Darbhanga.
12. Revenue clerk, Keoti, Darbhanga.

.... **Respondents**

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh

For the Respondent/s : Mr. Anjani Kumar- AAG-6

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

3 30-03-2016 Heard Mr. Arbind Kumar Singh, learned Counsel for the
petitioner, and Mr. Anjani Kumar, learned Additional Advocate
General No. 6, appearing for the State respondents.

With the help of this writ petition, made under Article
226 of the Constitution of India, in the form of Public Interest



Litigation, the petitioner has sought for a direction to the State respondents to upgrade Government Middle School Maheshajan, Gathuli, to High School under the relevant scheme of the Government and has sought for cancellation of the order, dated 29.05.2014, passed by the District Education Officer, Darbhanga, notifying upgraded Middle School, Lalganj, as High School within Lalganj Gram Panchayat as contained in Annexure 4/1 to the writ petition.

We have perused the writ petition and the materials on record.

We are clearly of the view that the upgradation of the school, in question, cannot be interfered with in the present Public Interest Litigation.

It will, however, remain open to the guardians/parents of the students, who are studying in the school, in question, to move this Court with appropriate application(s) for appropriate direction(s) to the respondent authorities as regards upgrading of Government Middle School Maheshajan, Gathuli, as High School and to seek cancellation of the order aforementioned notifying upgradation of the Government Middle School, Lalganj, as High School within Lalganj Gram Panchayat provided that the upgradation of the said school is not in accordance with law.

With the above observations and directions, this writ application, which has been brought, in the form of Public Interest Litigation, is hereby disposed of.

(I.A. Ansari, ACJ)

(Anjana Mishra, J)

A.I./-

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