

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22347 of 2013

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1. Sagir Ahmad Son Of Late Zahiruddin Resident Of Village - Raniganj,
P.O. Raniganj, P.S. Imamganj, District - Gaya

2. Naso Khan S/O Late Phunan Khan Resident Of Village - Ganeshpur,
P.O. Barakala, P.S. Kothi, District - Gaya

.... Petitioner/s

Versus

1. The State Of Bihar Through Secretary, Human Resources Department,
Government Of Bihar, New Secretariat, Patna

2. Zila Parishad, Gaya Through Chief Executive Officer - Cum - D.D.C.,
Gaya

3. Deputy Development Commissioner, Gaya

4. District Superintendent Of Education, Gaya

5. Block Development Officer, Imamganj, District - Gaya

6. Block Education Officer, Imamganj District - Gaya

7. Circle Officer, Imamganj District - Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. P.N. Shahi

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 29-06-2016 Petitioner no. 1 is the Headmaster of Ganeshpur Primary School in the district of Gaya whereas petitioner no. 2 claims himself as the duly elected Secretary of Vidyalaya Shiksha Samiti. It is stated that site was selected for construction of school building on which part of amount was also spent. On 12.5.2009, the B.E.O., Imamganj informed the petitioners to stop further construction work immediately and another site for construction was selected. Against such selection of another site and stoppage of construction, a writ petition was filed vide C.W.J.C. No. 4657 of 2010. This Court by proceeding dated 28.03.2011 (Annexure-2)

dismissed the writ application observing that such matters do not pertain to the domain of the Writ Court under Article 226 of the Constitution of India. The matter can appropriately be raised and considered by the Zila Parishad which is empowered to take decision with respect to establishment of a primary school. Nothing more is required to be said in order to reject the present application.

The application is rejected. If the cause survives, the petitioner shall be at liberty to represent their grievances before the Chief Executive Officer, Zila Parishad, Gaya for its consideration and disposal in accordance with law.

(Kishore Kumar Mandal, J)

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