

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14499 of 2012

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1. Vijay Kumar Singh, aged about 60 years, Son Of Late Yamuna Singh
Resident Of Village- Kalpa, Police Station And District Jehanabad

.... Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Govt. Of Bihar, Patna
2. The Principal Secretary, Education Department, Govt. Of Bihar, Patna
3. The Joint Secretary-Cum-Director (Secondary Education), Govt. Of Bihar, Patna
4. The Education Project Director, Bihar State Education Project Council, Patna
5. The District Magistrate, Patna
6. The Director, Education Department
7. District Education Officer, Jehanabad, District- Jehanabad
8. District Program Officer, Establishment, Jehanabad, District- Jehanabad

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sharma

For the Respondent/s : Mr. Shashi Bhushan Kr. Sc7

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 11-01-2016

Heard.

What has been challenged in this writ application by the petitioner who claims to be the resident of village Kalpa is the executive decision of the State respondents to upgrade the middle school, Bazar Tali Prakhand and to start academic session therein.

The contention of the petitioner was that the school does not have sufficient land. The executive decision was arbitrary. Considering the pleadings and the submissions of the parties, this Court, vide order dated 04.12.2015, directed the

petitioner to place on record the basis of his challenge of selection of another school by filing affidavit. No such affidavit has been filed. Mr. Kumar supported the impugned decision of the Government which, according to him, does not suffer from any patent illegality. Which school should be upgraded is the decision of the respondent. Such decision of the respondent cannot be interfered with until and unless they are shown to be wholly arbitrary and/or perverse. From the pleadings on record, this Court does not find any such patent illegality in the decision of the Government to upgrade a particular school. This Court does not find any merit in the writ application. It is, accordingly, dismissed.

(Kishore Kumar Mandal, J)

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