

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No 1546 of 2012

IN

Civil Writ Jurisdiction Case No 13905 of 2006

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Adarsh Madhya Vidyalaya, Bishanpur, Pipra, Through The Headmaster In Charge
Sri Rameshwar Mehta S/O Late Natai Mehta Resident Of Village Bishanpur (Thana
No. 245), P.S. Pipra, District Supaul.

.... Appellant/s

Versus

1. The State Of Bihar.
2. The Education Secretary, Primary and Secondary Education, New Secretariat,
Patna.
3. The Director, Primary Education Bihar, Patna.
4. The District Superintendent of Education, Saharsa.
5. The District Superintendent of Education, Supaul.

.... Respondent/s

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Appearance :

For the Appellant/s : M/s Anil Kr Mukund & Purnendu Keshar, Advocates

For the Respondent/s : Mr Brajesh Kumar, AC to AAG IV

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CORAM: HON'BLE MR JUSTICE NAVANITI PRASAD SINGH

And

HON'BLE JUSTICE SMT NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR JUSTICE NAVANITI PRASAD SINGH)

Date: 02-09-2016

Heard learned counsel for the appellant and learned
counsel for the State.

This appeal is against the judgment and order passed
by the learned Single Judge who followed the Full Bench judgment of
this Court holding that whether to take over (nationalize) a school or
not was a matter of discretion of the Government. There being no
duty cast upon the Government to take over all the schools, no writ of

mandamus would lie and, thus, the relief sought for in the writ petition could not be granted.

Accordingly, we find no merit in this application. It is, accordingly, dismissed.

(Navaniti Prasad Singh, J)

(Nilu Agrawal, J)

M.E.H./-

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