

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.3145 of 2014**

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Md. Ilias S/O Late Barhu Hussain Resident Of Village- Chistipur, P.O And P.S-  
Asthawan, District- Nalanda At Present Resident Of Mahalpar, Biharsharif, P.S-  
Bihar, District- Nalanda.

.... .... Petitioner

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resources Development Department,  
Government Of Bihar, Patna.
3. The Director, Secondary Education, New Secretariat, Patna.
4. The Regional Deputy Director Of Education, Patna Division, Patna.
5. The District Magistrate, Nalanda.
6. The District Education Officer, Nalanda.
7. The Secretary, Chakdin Muslim Association, Calcutta- B- 136/1, Bichalighat,  
P.O- Garden Ritch, Calcutta.
8. The Secretary, Chakdih + 2 School, Chakdin, Asthawan, Nalanda.
9. The Head Master, Chakdin + 2 School, Chakdin, Asthawan, District- Nalanda.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. PANKAJ KUMAR

For the Respondent/s : Mr. AJEET KUMAR

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL**

**ORAL JUDGMENT**

**Date: 06-09-2016**

Heard the counsel for the petitioner and the State.

Sponsoring the cause of the people at large the petitioner made a complaint before Hon'ble the Chief Minister. The matter was referred to the District Magistrate. In turn, an enquiry was directed to be made into the complaint of the petitioner respecting mismanagement of the school. Annexure-5 is a communication dated 08.05.2013 issued by the respondent Block Education Officer and addressed to the District Programme Officer. It is stated that

illegalities were made and reported by the said communication. The District Programme Officer has not acted on the said report. By issuing a writ the respondents be directed to make proper enquiry with respect to illegal/irregular/unconstitutional activities of the respondent who is the Secretary of Chakdin +2 school, Asthawan, District-Nalanda. The writ jurisdiction cannot be utilized as the executing court. The petitioner has filed the application in representative capacity. However, it has been shown to the Court that an enquiry is pending and relating to allegation(s).

In my view, the ends of justice would be served if the petitioner is permitted to ventilate the grievance before the District Education Officer, Nalanda. If any such application is filed, the same shall receive due consideration by the concerned respondent. The writ application is disposed of.

**(Kishore Kumar Mandal, J)**

B.Kr./-

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| CAV DATE          |            |
| Uploading Date    | 09.09.2016 |
| Transmission Date |            |