

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13388 of 2013

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1. Sheo Shankar Prasad S/O - Late Ram Dahin Prasad R/O Vill - Pratappur,
P.O. + P.S. - Kurtha, Dist - Arwal

.... Petitioner/s

Versus

1. The State Of Bihar Through Its Principal Secretary, Human Resources
Development Department, Govt, Of Bihar, Patna
2. Director, Primary Education, Bihar, Patna
3. District Magistrate, Arwal
4. District Programme Officer, Arwal
5. Block Development Officer, Kurtha, Dist - Arwal
6. Block Education Officer, Kurtha, Dist - Arwal
7. Upgraded Middle School, Pratappur, P.O. + P.S. - Kurtha, Dist - Arwal,
Through Its Incharge Headmaster

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ishwari Singh

For the Respondent/s : Mr. Amaresh Kumar Sinha AC to GA-9

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 03-05-2016 Heard Mr. Ishwari Singh for the petitioner and AC
to GA-9 for the State.

A counter affidavit is filed on behalf of the
concerned respondents. Petitioner has filed rejoinder thereto.

Petitioner acting on notice published in the
newspaper under the authority of the Principal Secretary, Human
Resources Department, (now the Education Department) has
donated 20 decimals of land for construction of primary school to
be named after him. The respondent constructed the upgraded
Middle School thereover. The District Programme Officer



permitted to name the school after the petitioner. However, the State Government in the Department of Education issued another resolution dated 03.04.2013 which alters the right of the petitioner to get the school named after him. Instead it provides for putting up the name of the donor at a conspicuous place of the school. The State respondents in the counter affidavit have stated the school constructed over the land donated by the petitioner is not a primary school but an upgraded middle school and as such the respondent is not bound by the representation made by the public notice (Annexure-2).

Mr. Ishwari Singh, on appreciating the resolution of the government which provides a forum also for resolution of the disputes of this nature, seeks permission of the Court to ventilate his grievance before the appropriate authority/forum, which according to the resolution is the District Magistrate of the District.

Having considered the submissions, the application stands disposed of permitting the petitioner to ventilate his grievance before the District Magistrate in terms of the resolution of the State Government (Annexure-B to the counter affidavit) for consideration and disposal in accordance with law. It is expected the District Magistrate, in the event of filing of the

application within a reasonable time shall take appropriate decision as quickly as possible preferably within three months from such filing/presentation.

(Kishore Kumar Mandal, J)

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