

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Civil Review No.232 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 10204 of 2015**

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Mahendra Sahni, son of Late Bhola Sahni, Resident of Village: Vishnupur
(Phulkahi), P.O Manthaur, P.S. Phulparas, District: Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar .
2. The Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Govt. of Bihar, Patna.
4. The A.R. Officer, Secondary Education Govt. of Bihar, Patna.
5. The State Programming Officer, Bihar Secondary Education Council, Patna.
6. The District Education officer, Madhubani.
7. The Sub- Divisional officer, Phulparas, Madhubani
8. The Deputy Director, Land Reforms, Phulparas, Madhubani.
9. The Block Development Officer, Phulparas, Madhubani.
10. The Head Master, Manthaur Middle School, Phulparas, Madhubani.
11. Surendra Prasad Yadav, Son of Uttam Lal Yadav, Resident of Village:
Manthaur Khurd, P.S. Phulparas, District: Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Kishore Singh, Advocate

For the Respondent/s : Mr. S.D. Yadav, AAG-IX

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 14-12-2016

The present petition is filed for review of the order dated 31st of July, 2015 whereby, C.W.J.C. No.10204 of 2015 filed by Surendra Prasad Yadav wherein the up-gradation of Middle School to High School was set aside with a direction that if there is adequate strength for upgrading the School at Phulparas, the running of the School at Mahthaur Khurd shall not come in the way.

2. The grievance of the petitioner is that it was his representation which led to constitution of a three man committee,



which recommended the up-gradation but petitioner was not impleaded as respondent in the writ application and the order came to be passed of setting aside of the up-gradation.

3. Admittedly, the School which was upgraded was a Government School. The State Government was represented who has defended the decision to upgrade the School, but the Court did not agree. A person who submits a representation for up-gradation of the School is not a necessary party as the decision to upgrade a particular School was taken by the State Government and the State Government has defended the decision, though unsuccessfully.

4. We do not find any error apparent on record which may warrant interference in the present Review Application.

5. Consequently, we do not find any merit in the present writ Review Application.

6. The present Review Application is accordingly dismissed.

(Hemant Gupta, ACJ)

(Anjana Mishra, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
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Transmission Date	N/A

