

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4740 of 2013

In

Miscellaneous Jurisdiction Case No. 1978 of 2011

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1. Laxan Ram son of Late Baldev Ram resident of village Akhtiarpur Police Station Bihta and District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sanjay Kumar Singh, Collector, Patna.
3. K. Buddhabhatti Sub Divisional Officer, Danapur, District - Patna.
4. Ram Oraon Circle Officer, Bihta, District Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh

For the Respondent/s : Mr. Arvind Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

12 20-01-2016

In the present case the petitioner is raising a grievance that the opposite parties have not carried out the order dated 12.12.2012 passed in M.J.C. No. 1978 of 2011 as by this order the Court has directed to make construction of five class rooms + one room for teachers and staff + one room for mid-day meal + two toilets + a verandah with proper finishing, fittings and furnishings. The respondents had made half construction. When the contempt application was filed and it was brought to the notice of the Court that they have not carried out the order in letter and spirit, they have made further construction of five class rooms + one mid day meal room i.e. total six rooms. As per the averment, it appears that the Government Primary School, Aktiarpur in the district of Patna imparts education from Class I to Class V and for that atleast it is required that there should be five rooms for the students for each class and it will further require that there should

be a separate room for the staff. As there is provision for the mid day meal also, one room is marked for kitchen so altogether seven rooms are required to show the complete infrastructure for that school. In the present scenario only six rooms are there.

Resistance has been made from the State that there is no space for any further construction. Altogether one more room is required for complete infrastructure in the school. This Court feels that unless there will be separate one room for each class for the purpose of study of the students, proper education cannot be given to the students. As it appears that they have not complied with the order that has been passed by this Court, they accept to this extent but shows their inability on account of space. They can make construction of one room on the second floor to complete the work as per the aforesaid order of this Court.

This Court, accordingly, directs the respondent authorities to make construction of one room on the second floor within a period of six months from today.

With the observation and direction aforesaid, this contempt application is disposed of.

(Shivaji Pandey, J)

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