

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3531 of 2017

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Pappu Kumar aged about 41 years Son of Bijay Kumar Pandey, Resident of
Village+ P.O.- Amawa, P.S.- Bind, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary Govt. of Bihar, Old Secretariat, Patna.
2. The Principal Secretary Cum Commissioner, Human Resources Department New Secretariat, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. G. Yadav

For the Respondent/s : Mr. Vinay Kumar Mishra, AC to AAG-15

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER**

2 05-12-2017 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Counsel for the petitioner with reference to
Annexure-9 and 9/1 submits that similar matter was disposed of
by this Court vide Annexure-9 and 9/1, this writ petition may
also be disposed of in similar terms. The issue of take over of the
institution is within the administrative domain of the State for
which no positive direction can be given by this court.

It is made clear that this court cannot issue
mandamus for taking over of the institution as it is within the
realm of administrative decision governed by the policy decision
of the State Government. If the State Government is still



maintaining policy to take over institution they may consider the case of the petitioner in the light of the policy decision. In the event, the State Government has taken policy decision not to take over any institution, the State Government, may reject the claim for take over the intuition.

The respondents are required to take final decision on the issue whether the institution proposed to be taken over or not within a period of six months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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