

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8643 of 2017

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Jaiprakash Narayan Paswan, son of Sh. Brahamdeo Paswan, resident of Village-
Khalasin, Post & Police Station- Kusheshwar Asthan, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education,
Government of Bihar, Patna.
2. The District Magistrate, Darbhanga.
3. The District Education Officer, Darbhanga.
4. The Sub-Divisional Officer, Biraul, Darbhanga.
5. The Circle Officer, Kusheshwar Asthan, East, District- Darbhanga.
6. The Block Development Officer, Kusheshwar Asthan, East, District-
Darbhanga.
7. The Block Education Officer, Kusheshwar Asthan, East, District- Darbhanga.
8. The Managing Director, Bihar State Education Infrastructure, Development
Corporation Limited, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vasudeo Ram

For the Respondent/s : Mr. ASHUTOSH RANJAN PANDEY-AAG15

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 28-07-2017

Inter alia contending that a direction be issued by
way of a mandamus to the respondents to construct the Block
Resource Centre's building as per the sanctioned map at upgraded
Middle School in, Khalasin under Block-Kusheshwar Asthan East,
this writ petition has been filed in public interest.

Keeping in view the grievance made by the
petitioner in the writ petition, we find that it is not based on any



statuary rights available nor any constitutional provision applicable in the matter. The issue pertains to a policy matter administrative in nature uncontrolled by any statutory provision and therefore, in a public interest litigation, this Court cannot issue any mandamus. In case the school building is not constructed as per sanctioned map, petitioner may make a complaint to the statutory authority.

Accordingly, finding no ground for issuing any mandamus, the petition stands disposed of.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

