

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1395 of 2017

IN

Civil Writ Jurisdiction Case No. 3915 of 2013

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Deen Dayal Singh, son of Sri Ram Gahan Singh, resident of Village- Deodihi,
Police Station- Chenari, District- Rohtas, Headmaster Mulia Devi Girls High
School, Deodihi, Anchal- Chenari, District- Rohtas.

.... Appellant/s

Versus

1. The State of Bihar, through Commissioner-cum-Secretary, Education
Department, Government of Bihar, New Secretariat, Vikash Bhawan, Patna.
2. The District Secondary Education Board, Government of Bihar, Patna.
3. The Regional Deputy Director, Patna Division, Patna.
4. The District Education Officer, Rohtas, Sasaram.
5. The Deputy Development Commissioner, Rohtas.
6. The District Development Officer, Rohtas.
7. The District Magistrate, Rohtas
8. The Head Master of Gangotri Dulari High School, Chenari, Rohtas.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Deen Dayal Singh (In Person)

For the Respondent/s : Mr. Ashutosh Ranjan Pandey, AAG-15

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 11-12-2017

Ref.: I. A. No. 7240 of 2017

The present interlocutory application has been filed
for condoning the delay of 121 days in filing the appeal.

2. For the reasons mentioned in the interlocutory
application, I.A. No. 7240 of 2017 is allowed and the delay in filing
the appeal is condoned.

3. The petitioner appears in person. Even though the
petitioner calls in question tenability of an order dated 25.04.2017
passed by the Writ Court in C.W.J.C. No. 3915 of 2013, we find that



the issue in question pertains to taking over of a school, namely, the Mulia Devi Girls High School, Deodihi, Anchal- Chenari, District- Rohtas, as a Project Girls School.

4. The petitioner is Headmaster of the school in question and the school is run by a Managing Committee. Neither the Managing Committee has authorized the petitioner to file the writ petition and ventilate the grievance on behalf of the school nor is the Managing Committee a party before us. The petitioner as a Headmaster and an employee of the school has no *locus standi* to challenge the action of the State Government in refusing to declare the school as a Project School and take over.

5. Finding the petition to be the devoid of any *locus standi* to initiate a proceeding, we dismiss the appeal.

6. However, liberty shall be available to the school through its authorized Managing Committee or its representative to ventilate the grievance in accordance with law.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.12.2017
Transmission Date	NA

