

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 11863 of 2014

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Ashpati Kunwar, W/o Late Doman Thakur, resident of village Tarwar, P.O. Verwania, P.S. Bhagwanpurhat, District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Education Officer, Siwan.
3. The District Programme Officer (Establishment), Siwan.
4. The Block Education Officer, Bhagwanpur Hat, Siwan.
5. The Headmaster, Government Primary School, Tarwar, P.O. Verwania, P.S. Bhagwanpurhat, District Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sharma, Advocate

For the Respondent-State : A.C. to S.C. 22

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 12-01-2017

Heard Learned counsel for the parties.

The writ petition has been filed for a direction to the respondents to name the Government Primary School, Tarwar Anchal, P.O. and P.S. Bhagwanpurhat in the District of Siwan on the name of the late husband of the petitioner on the ground that he had donated the land.

Learned counsel for the petitioner submitted that initially, the authorities had ordered the school to be named after the late husband of the petitioner but the said order passed by the District Education Officer, Siwan was not implemented.

Learned counsel for the State, on the basis of



averments made in the counter affidavit, submitted that as per the policy of the State Government in the year 2013, with regard to existing schools, under which the school in question comes, on the recommendation of the donor himself either his name or the name of the person proposed by him, the school can be named but since the original donor was dead, now the school cannot be named after him. He submitted that in such view of the matter, the earlier order of the District Superintendent of Education, Siwan dated 08.03.2014 had been recalled as it was not in accordance with law, by the District Education Officer, Siwan himself by order dated 18.06.2014.

A perusal of the order dated 18.06.2014 contained in Letter No. 3247 of the District Education Officer, Siwan, copy of which has been made Annexure-B to the counter affidavit, it transpires that he has observed that the name of the late husband of the petitioner can be shown on the plaque of the school.

At this juncture, learned counsel for the petitioner submitted that he is agreeable to the same being done.

Learned counsel for the State also submitted that in view of the observations made in the order of the authority itself, the same shall be done.

Taking into consideration the aforesaid, the writ petition stands disposed off with a direction to the respondents no. 2,



3, 4 and 5 to get a plaque installed in the school disclosing the name of the late husband of the petitioner, showing him as the donor of the land, within four weeks from the date of production of a copy of this order before them.

(Ahsanuddin Amanullah, J.)

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