

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3737 of 2014

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Jai Kumari Devi W/o Late Bimlesh Jha, Resident of Village- Dalkawan, P.S.-
Sonebarsa, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. Bihar Madhyamik Shiksha Parishad through the State of Project Director, 8th Floor, Bihar School Examination Board, (Sr. Section) Building Buddha Marg, Patna.
4. The State Project Director, Bihar Madhyamik Shiksha Parishad, 8th Floor, Bihar School Examination Board, (Sr. Section) Building, Buddha Marg, Patna.
5. The Director, Secondary Education, Govt. of Bihar, Patna.
6. The District Magistrate, Sitamarhi.
7. The District Education Officer, Sitamarhi.
8. The Block Education Officer, Sonebarsa, Sitamarhi.
9. High School Indarwa-I, Block-Sonbarsa, P.S. Sonbarsa, Distt.- Sitamarhi through its Headmaster.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.
For the State	:	Mr. Birju Prasad, G.P. 13 Mr. Amresh, A.C. to G.P. 13
For the Respondent No.3	:	Mr. Girijesh Kumar, Advocate
For the Respondent No. 9	:	Mr. Shailendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 27-02-2017

Heard learned counsel for the parties.



The petitioner has moved the Court for directing the respondents to upgrade the Middle School, Dalkawan in the District of Sitamarhi to High School.

Learned counsel for the petitioner submitted that the Middle School, Dalkawan is better suited for upgradation than Middle School, Indarwa-I, which has been upgraded but the Middle School, Dalkawan has been left out.

From the pleadings on record, it appears that the Middle School, Indarwa-I was upgraded by the Central Government under a scheme and the State Government in its scheme has also decided to upgrade the Middle Schools to High School, but with certain parameters and a conscious decision has been taken that once in one Panchayat a High School is present, no other Middle School shall be upgraded.

In view of the fact that the Middle School, Dalkawan is in the same Panchayat as the upgraded school, Indarwa-I, the up-gradation of the Middle School, Dalkawan cannot be considered under the policy of the State Government also.

Having regard to the aforesaid, the Court finds no occasion to interfere in the matter as the same is totally in the domain of the executive to decide the location/up-gradation of schools. Moreover, in the present case, cogent reasons have been assigned in



not upgrading the Middle School, Dalkawan, for the present.

In view thereof, the writ petition stands disposed off.

(Ahsanuddin Amanullah, J.)

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