

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16375 of 2016

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Awadhesh Singh, Son of Late Bir Bahadur Singh, resident of Village Loper
(Ramsapur), Police Station- Daraunda, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Siwan.
2. The District Magistrate, Siwan.
3. The Collector-cum-District Registrar, Siwan.
4. The District Programme Officer, Siwan.
5. The District Education Officer, Siwan.
6. The Circle Officer, Daraunda, District- Siwan.
7. The Block Education Extension Officer, Daraunda, District- Siwan.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Adv.

For the Respondent/s : Mr. Madanjeet Singh- GP20

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT & ORDER

Date: 03-11-2017

The petitioner is said to have donated land to the State Government to construct building of the school. It is the grievance of the petitioner that the respondents are not constructing the building over the land so donated and the school is running in a building, which is not appropriate for teaching purposes.



2. A counter affidavit has been filed on behalf of the respondents-State of Bihar, wherein, it has been stated that the District Project Officer (Establishment), Siwan had sought a report from the Block Education Officer/Circle Officer, Daraunda, Siwan, who has reported that the land in question is not properly situated for the purpose of running a school and it is at a distance of 500 meters away from the road.

3. The Court cannot issue a direction to the respondents to have a school building at a particular place, especially when the respondents are of the view that the land in question is not suitable for school.

4. However, since the land has been donated to the State Government and has been registered in the name of Governor of Bihar, I direct the District Magistrate, Siwan to personally look into it and see whether the said land can be utilized by making available road to the said land.

5. It is made clear that this Court is not commenting upon the merit of the claim of the petitioner that the school building should be constructed over the said piece of land. It will be up to the District Magistrate, Siwan, to take a final decision in this regard. The Court expects that such decision is taken within a period of three months from the date of receipt/production of a



copy of this order.

6. By making this order, the Court has kept in mind that land has become scarce commodity these with rapid growth in population and if someone has agreed to donate the land to the Government, best efforts should be made for proper utilization of the land, else the said land will have to be returned to the donor.

7. With the above observation, this application stands disposed of.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
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