

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3404 of 2017

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Udai Lal son of Ram Bhajan Singh Resident of Village + P.O. - Lakhawar,
P.S. - Ghosi, District - Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Principal Secretary cum Commissioner, Human Resources Department New Secretariat, Patna.
3. The Director of Primary Education Human Resources Department, New Secretariat, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prem Nath

For the Respondent/s : Mr. Vinay Kumar Mishra, AC to AAG-15

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 05-12-2017 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Counsel for the petitioner with reference to Annexure-9 and 9/1 submits that similar matter was disposed of by this Court vide Annexure-9 and 9/1, this writ petition may also be disposed of in similar terms. The issue of take over of the institution is within the administrative domain of the State for which no positive direction can be given by this court.

It is made clear that this court cannot issue mandamus for taking over of the institution as it is within the realm of administrative decision governed by the policy decision



of the State Government. If the State Government is still maintaining policy to take over institution they may consider the case of the petitioner in the light of the policy decision. In the event, the State Government has taken policy decision not to take over any institution, it may take final decision over the intuition.

The respondents are required to take final decision on the issue one way or the other within a period of six months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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