

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17407 of 2018

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Rambabu Mahto, son of Late Ram Narain Mahto resident of village-Sujanpur,
P.S.Chrhpura, Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Education, Patna, Bihar
2. The Principal Secretary, Department of Education, Patna Bihar
3. The Director, Primary Education, Patna, Bihar
4. The Director, Secondary Education, Patna, Bihar
5. The Regional Deputy Director, Department of Education, Munger, Bihar
6. The District Magistrate, Begusarai
7. The District Programme Officer, Begusarai
8. The Block Development Officer, Garhpura, Begusarai
9. The Block Education Extension Officer, Garhapura, Begusari

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Onkar Nath Mr. Ram Naresh Singh
For the State	:	Mr. Ashutosh Ranjan Pandey-AAG 15 Mr. Amarendra Kumar, AC to AAG 15

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-09-2018 Heard counsel for the parties.

It is the case of the petitioner that the Aam Sabha of the Panchayat Samittee of Garhpura Block has in its meeting held on 04.06.2013 taken a decision to make a recommendation to the appropriate authority for upgradation of the Middle School, Sujanpur, under the said Gram Panchayat to the high school.

The grievance of the petitioner, who is the resident of the said Panchayat is that, despite the recommendation having



been made, the respondents have not taken any decision.

Whether a school is to be upgraded or not, is purely executive function and the Court cannot issue direction to the authorities to upgrade any school, unless compelling circumstances are shown to exist, requiring issuance of such direction.

However, in the background of facts and circumstances, this writ application is disposed of with a direction to respondent nos.4 and 7 to look into the petitioner's claim for upgradation of the school, in question, to high school within a period of three months from the date of receipt/production of a copy of this order.

I have not expressed any opinion as to whether the school should be upgraded or not

The respondents shall be at liberty to take appropriate decision in this regard.

This writ application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

HR/-

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