

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2864 of 2018

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Md. Irshad Ansari, S/o Md. Abbas Ansari, resident of Badri Tola, Ward No. 7, Chausa, P.S.- Chausa, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Secondary Education, Education Department, Government of Bihar, Patna.
4. The Director Bihar Rastrabhasha Parishad, Shiksha Bhawan, Bihar Rastrabhasha Parishad Campus, Acharya Shivpujan Sahay Path, Saidpur, Patna.
5. The Collector, Madhepura.
6. The District Education Officer, Madhepura.
7. The District Programme Officer (Establishment), Madhepura.
8. The Circle Officer, Chausa Circle, Chausa, Madhepura.
9. The Block Education Officer, Chausa Block, Chausa, Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Bam Bahadur Jha
For the Respondent/s	:	Mr. S.C.Mishra -SC-16
		Mr. Madhukar Mishra, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 02-08-2018 The petitioner claims to be the citizen of India and residing within the territorial jurisdiction of this Court, duly authorized by the people of the locality to file this writ application. The petitioner is seeking direction to the respondents to upgrade Middle School, Basaitha, Chausa to High School in public interest.

Whether the School is to be upgraded or not is purely executive function. This Court in a proceeding under Article 226



of the Constitution of India, cannot issue such direction as sought since the Court does not have any judicially determinable parameter to issue such direction.

The villagers claim to have approached the District Magistrate, Madhepura in this regard.

It will be open to the petitioner to pursue his case before the competent authority.

This Court, in the present set of facts is not appropriate forum for the relief claimed.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

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