

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3680 of 2018

Sunita Kumari, wife of Raj Nandan Kishore, C/O Dhari Prasad, R/o 'Yadav Bhawan' Sant Karens School Gali, New Punaichak, P.O. Lalbahadur Shashtri Nagar, P.S. Punaichak, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar, through Chief Secretary, Old Secretariat, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Human Resources Development, Government of Bihar, Patna
3. Director, Education Department, Govt. of Bihar, Patna
4. The Collector-cum-District Magistrate, Patna
5. S.D.O. Patna, Bihar
6. District Education Officer, Patna, Bihar
7. District Programme Officer, Patna Bihar
8. Director, CBSE, Head Office, Baily Road, Patna, Bihar
9. Zonal Director, D.A.V. Public School, Arya Samaj Mandir, R.P.S. More Baily Road, Patna
10. Principal D.A.V. Public School, B.S.E.B. Colony, New Punaichak, Patna
11. Admission In charge, D.A.V. Public School, B.S.E.B. Colony, New Punaichak, Patna
12. District Programme Officer, Bihar Shiksha Pariyojna Parishad, (Literacy) Patna Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar
For the Respondent/s	:	Mr. M.Pd. Yadav- GP-23
For the BEPC		Mr. Girijesh Kumar
For CBSE		Mr. Vinay Krishna Tripathi

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-05-2018 The petitioner seeks a direction to the Principal, D.A.V. Public School, B.S.E.B. Colony, New Punaichak, Patna, and the Admission in-charge of the said school to allow admission of the petitioner's son in Class-1.

The petitioner is developing the right of his



child to be given admission in the said school on the strength of the provisions under the Right to Education Act and the Rules framed thereunder. The petitioner is said to have applied in the said school for admission in L.K.G. Standard last year which could not materialize. He again approached the school for the said purpose, this year time for admission in Standard-I.

There is no dispute about the fact that the school, in question, is privately managed. No writ against the said school would lie, in the facts and circumstances of the case. At the same time, there should not be any dispute that the State-respondents are under obligation to ensure that the provisions under the Right to Education Act are given effect to, with full force.

I, accordingly, dispose of this writ application with a direction to the District Education Officer, Patna, to enquire as to whether the schools within the district are complying with the requirements of right to Education in respect of admission at various levels. In case, there is non-compliance, the State-respondents should ensure that consequential measures



are taken.

Let a copy of this order be handed over to
the learned AC to GP-23 by tomorrow (16.05.2018),
for strict compliance of this order.

(Chakradhari Sharan Singh, J)

HR/-

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