

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8978 of 2018

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Mahabir Prasad S/o late Laldas Mahto Resident of Near A to Z Chemistry
Point Dhaneshwarghat, P.S. Biharsharif, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Department, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The District Education Office, Nalanda.
4. The District Magistrate, Nalanda.
5. The Headmaster, Awasiya Model Middle School, Biharsharif, Nalanda at Biharsharif.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amaresh Kumar
For the Respondent/s : Mr. Narendra Kumar- Gp20

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 08-05-2018 Heard Mr. Sanjay Kumar, learned counsel for the
petitioner and the counsel appearing on behalf of the State.

Referring to the various orders passed in MJC No.
2064 of 2017 Mr. Sanjay Kumar submits that the present action
of the District Magistrate is actuated with malice. He has issued
direction impugned in this case only because on his petition, the
court has initiated contempt proceeding in which the District
Magistrate was directed to appear in person.

Petitioner is aggrieved by the direction of the District
Magistrate whereby he has directed institution of FIR against
the petitioner vide letter no.2653 dated 19.4.2018 which is under
challenge in the present writ application.



Referring to Annexure-10 he submits that District Magistrate has issued direction, against the petitioner as he was petitioner in MJC No. 2064 of 2017 in which the District Magistrate was directed by this court for his personal appearance.

Considering the totality of the facts situation, the court is unable to adjudicate the issue raised in the present writ application. However, liberty shall be available to the petitioner to approach the appropriate forum for vindication of his grievance.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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