

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22812 of 2011

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1. SMT. ARUNA DWIVEDI W/O PASHUPATI NATH DWIVEDI
R/O VILLAGE- RAMPUR, P.O.- RAMPUR KALA, P.S.-
MAJHARUL HAQUE NAGAR, DISTRICT- SIWAN
 2. BHAWANI SHANKAR DUBEY S/O SRI GAJADHAR NATH
DUBEY R/O VILLAGE + P.O.- GABHIRAR, P.S.-
RAGHUNATHPUR, DISTRICT- SIWAN
 3. RABINDRA SINGH S/O SRI RUDRA NARAYAN SINGH R/O
VILLAGE- JHAKHARA, P.O.- PHULWARIA, TAJPUR, P.S.-
MANJHI, DISTT.- SARAN AT CHAPRA
 4. SMT. USHA SHUKLA W/O SRI PANCHANAND SHUKLA R/O
VILLAGE- MISHRAULI, P.O.- BELAHI, P.S.-KATIYA, DISTT.-
GOPALGANJ
 5. RAM NATH S/O SRI GANESH PRASAD R/O VILLAGE + P.O.-
BANHARA, P.S.- SIKANDARPUR, DISTRICT- BALIA
 6. SURENDRA SINGH S/O SRI NANDJI SINGH R/O VILLAGE-
SISWAN, P.O.- GANGPUR, SISWA, P.S.- SISWAN, DISTRICT-
SIWAN
 7. SHEOJI YADAV S/O SRI RAMANAND YADAV R/O VILLAGE-
SISWAN, P.O.- GANGPUR SISWAN, P.S.- SISWAN, DISTT.-
SIWAN

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. THE PRINCIPAL SECRETARY HUMAN RESOURCES DEVELOPMENT
DEPARTMENT, GOVT. OF BIHAR, PATNA
3. THE DIRECTOR, SECONDARY EDUCATION HUMAN RESOURCES
DEVELOPMENT DEPARTMENT, GOVT. OF BIHAR, PATNA
4. THE DEPUTY DIRECTOR, SECONDARY EDUCATION HUMAN
RESOURCES DEVELOPMENT DEPARTMENT, GOVT. OF BIHAR,
PATNA
5. THE REGIONAL DEPUTY DIRECTOR OF EDUCATION, SARAN
DIVISION AT CHAPRA
6. THE DISTRICT EDUCATION OFFICER, SIWAN

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad Singh, Sr. Advocate Mr. Onkar Kumar, Advocate
For the Respondent/s	:	Mr. Nirbhay K.Singh GP-26

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 03-07-2018

Heard, Shri Rajendra Prasad Singh, learned Senior

Counsel appearing on behalf of the petitioner and learned



counsel for the State.

Learned counsel for the petitioner submits that petitioner deserves similar treatment as petitioner of CWJC No.18887 of 2008.

Learned counsel for the petitioner submits that Project Schools were established in the State of Bihar under the policy decision. He submits in the year 1981-82t schools were selected as Project schools and subsequently in the year 1984-85, 300 schools in 300 blocks were decided to be recognized as project School.

Mr. Rajendra Singh submits that as per the policy decision respondents have decided to establish the school to promote education among the female child by establishing the project schools. It is submitted that the school in question is also covered by policy decision of State Government to establish 300 project schools in different blocks.

Referring to the case of Ranjana Kumari decided in C.W.J.C. No. 18887 of 2008, he submits that in that case this Court has taken note of the fact that the school has not included in the list of 300 project schools and the Court noticing policy decision to establish the project schools in each block has considered the claim of petitioner of CWJC No. 18887 of 2008



and directed the respondents to consider the case of the petitioner for recognition treating the said school falling under the category of project school established in the second phase.

On the other hand, Mr. Manish Kumar learned counsel for the respondents submits that the State Government took a decision to establish Project school in first phase in the year 1981-82 thereafter in the second phase in the year 1984-85. They have taken a decision to identify 300 project school in 300 blocks each block one school.

He submits that in third phase 56 schools were identified as project school that fact has been disputed by Mr. Singh.

In view of the rival submission and contradictory statement made by the parties, it would be appropriate that the factual inquiry may conduct by the Director Secondary Education and he may take final decision in the matter. If it is found that the case of the petitioner school of the petitioner is one of the 300 schools identified as project school in second phase and the case of the petitioner is similar to that of Ranjana Kumari. Petitioner in CWJC No. 18887 of 2008 the Director Secondary Education shall extend similar treatment to the petitioner and in case the Director finds the case of petitioner



distinguishable of fact he will pass appropriate and reasoned order within a maximum period of three months from the date of receipt/ production of a copy of this order.

In view of the above order contained in Annexure-1 shall not be given effect to and parties shall abide by the fresh decision to be taken by the Director.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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