

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.217 of 2017

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Amitesh Kumar Singh, Son of Hira Prasad Singh, Resident of Mohalla -
Shiksha Nagar, Banmankhi, P.S. Banmankhi, District - Purnea

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner, Purnea Division, Purnea
3. The District Magistrate, Purnea, District Purnea
4. The Director, Primary Education, Bihar, Patna
5. The Regional Deputy Director, Education, Purnea Division, Purnea
6. The Principal Secretary, Department of Education, Bihar, Patna
7. The Special Director (Primary Education) Department of Education, Bihar, Patna
8. The Sub Divisional Officer, Purnea Sadar, District Purnea
9. The District Education Officer, Purnea, District Purnea
10. The District Programme officer, Primary Education and Sarv Shiksha Abhiyan, (SSA) Purnea District , Purnea
11. Mount Jion School, Koshi Colony, P.S.- K. Hat, District Purnea through its Director
12. The Principal, Mount Jion School, Koshi Colony, P.S.- K. Hat, District - Purnea

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr.Sushanta Kumar Das, Advocate
For the S t a t e	:	Mr.Ashutosh Ranjan Pandey, AAG-15
For Respondent No.11	:	Mr. P.K. Sahi, Sr. Advocate
		Mr. Sanjay Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

16 14-08-2019 Heard learned counsel for the petitioner.

This public interest litigation has been filed levelling
allegations of mismanagement of the School and lack of



infrastructural facilities.

The petition was entertained by the following order dated 05th of May, 2017:

“Even though the petitioner from the petition does not seem to have any *locus standi* in filing this writ petition but taking note of the Inquiry Reports available on record submitted by the District Education Officer, we take cognizance of the grievance made by the petitioner *suo motu* and direct the respondents to file a counter affidavit in the matter.

Notice be also issued to Respondent No.12 by the office at Government expense.”

From the facts on record, it appears that a female student aged 8-9 years unfortunately died in the Institution and was declared as dead when she was brought to the hospital. From the facts as alleged it appears that it was a case of poisoning. The School authorities defended themselves on the ground that it is on account of some family dispute that may have resulted in such an incident but that may be a matter of investigation and trial. The same is pending before the concerned court.

So far as the Institution is concerned, it appears that action was taken and ultimately the recognition of the Institution has been cancelled/withdrawn vide order dated 10th of



November, 2018, which is subject-matter of challenge in C.W.J.C. No.1520 of 2019.

Having considered the affidavits filed on behalf of the respondents and having heard learned counsel for the parties, we find that this public interest litigation has already outlived its utility keeping in view the action already taken against the Institution, which is subject-matter of another writ petition. It is, accordingly, consigned.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

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