

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13954 of 2019

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1. Pankaj Kumar Chaudhary Son of Brahmdeo Chaudhary, Resident of Basudevpur P.S.- Puraini, District Madhepura.
 2. Mithilesh Kumar alias Mithlesh Kumar Thakur, Son of Ganesh Thakur, Resident of Basudevpur, 06 gram basudevpur, P.O. and P.S. Kursandiward 06 Basudevpur Puraini Bazar, District Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Human Resources Department, Govt. of Bihar, New Secretariat, Patna, Bihar.
2. The District Magistrate, Madhepura.
3. The Deputy Development Commissioner, Madhepura
4. The Deputy Education Officer, Madhepura.
5. The Sub-Divisional Officer.
6. The Block Education Officer, Puraini, Madhepura.
7. The Principal, Rauta High School Rauto Kurshandi P.S. Puraini, Distt.- Madhepura.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	M/s Sanjeev Kumar Mishra and Neha Gupta, Advs.
For the Respondent/s	:	Mr. Ashutosh Ranjan Pandey, AAG-15
		Mr. S.S. Tiwari, AC to AAG 15

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

2 22-08-2019 Heard learned counsel for the petitioners and the learned counsel for the State.

2. In this case, the petitioners are seeking relief that Rajkiya Middle School Basudevpur Puraini Prakhanda should be upgraded to plus 2 school. Already one another middle school Rauta near to the aforesaid school, has been recommended to



plus 2 school instead of Rajkiya Middle School Basudevpur.

3. The counsel for the petitioners submits that the infrastructure of the school for which the petitioners are pursuing, is better in condition than the middle school Rauta for upgradation, but report of upgradation has been given in favour of Rauta School. In the event of upgradation of school, it requires different nature of infrastructure, such as, more area of the land, including the building, it also requires that there should be proper infrastructure for sitting of the students as well as accommodation of the teachers. It further requires desk, chair tables inasmuch suitable teachers including availability of other schools in the surrounding area. Location of school at suitable place is identified by the executive.

4. All relevant factors will only be looked into by the official concerned for decision of location of school which cannot be subject matter for judicial review. In the present application as has been stated by the petitioners that villagers have filed an application before the District Magistrate for redressal of their grievance. If such application has been filed, the concerned authority will look into the matter and take decision in accordance with law.

5. With the above direction, this application is



disposed of.

(Shivaji Pandey, J)

(Partha Sarthy, J)

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