

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.21665 of 2018**

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Navin Kumar Pathak, Son of Satyanarayan Pathak, Resident of Village-Tarari, P.S. - Konch, Distt.- Gaya.

... .. Petitioner

Versus

1. The State Of Bihar.
2. The State of Bihar through its Principal Secretary, Education Deptt., Govt. of Bihar.
3. The Director, Bihar Higher Education Council, Patna.
4. The District Magistrate, Gaya.
5. The District Education Officer, Gaya.
6. The Block Education Officer, Gaya.
7. The Circle Officer, Konch, Gaya.
8. The B.D.O., Konch, Gaya.
9. The LRDC, Tekari , Gaya.

... .. Respondents

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**Appearance :**

For the Petitioner : Mr.Birendra Kumar Singh, Adv.  
For the Respondents : Mr.Ashutosh Ranjan Pandey, AAG-15

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**

ORAL ORDER

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      06-01-2020                      The petition filed on 05.11.2018 is listed for hearing  
for the first time today before the Court.

Heard learned counsel for the petitioner and learned  
counsel for the respondents.

Petitioner has prayed for the following reliefs:

“(i) For issuance of writ in the nature of certiorari for  
quashing the order of Education Department  
contained in Annexure – 11 vide Memo No. 11/002-



03/2012 Ansh(kh) 1210 dt. 26.7.2018.

(ii) For issuance of direction commanding the respondents to hold enquiry in accordance with guide line fixed in resolution of education department dated 05.07.2013 contained in Annexure-1 vide Memo No. 11 11/002-03/2012-1021 for upgradation of Middle School in Every Panchayat of district in State of Bihar into High School.

(iii) For issuance of direction upon the respondent concern enquired into the matter as per resolution in every Panchayat of Gaya District of Bihar fairly so that upgraded High School can created in every Panchayat. ”

After the matter was heard for some time, learned counsel for the petitioner submits that petitioner shall be content if a direction is issued to the concerned respondents to consider and decide the representation, which the petitioner shall be making afresh within a period of four weeks from today.

Learned counsel for the State states that upon receipt of such request, if any, the same shall be dealt with in accordance with law, expeditiously and positively within a period of three months from the date of receipt thereof.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes



recourse to such remedies, as are otherwise available in law,  
before the appropriate forum, the same shall be dealt with, in  
accordance with law and with reasonable dispatch.

The petition stands disposed of in the aforesaid terms.

**(Sanjay Karol, CJ)**

**( Anil Kumar Upadhyay, J)**

Rajeev Kumar/-

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