

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23889 of 2018

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Dharmdev Ray S/o Vishwanath Ray, R/o Vill.- Mauzampur, P.O.- Narva, P.S.-
Awtarnagar, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education , Government of Bihar, Patna.
3. The Director of Primary Education, Department of Education, Government of Bihar, Patna.
4. The Collector Cum District Magistrate, Saran at Chapra.
5. The District Education Officer, Saran at Chapra.
6. The Block Education Officer, Garkha, District- Saran.
7. The Headmaster, Government Primary School, Mauzampur, P.S.- Awtarnagar, Circle- Garkha, District- S
8. The Project Manager, Madhucon Project limited for Chapra Hajipur Expressways limited site office-Ma

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan
For the Respondent/s : Mr.Ashutosh Ranjan Pandey -Aag15

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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 11.12.2018 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 relief:

“For issuance of appropriate writ(s), order(s),
direction(s), to respondents to complete the under



constructed building of Primary School, Mouzapur, which has been shifted abolished by Madhucon, Chapra-Hajipur Expressways Limited due to the building of the Government Primary School, Mouzampur is falling in construction Zone of 4-lining of N.H.-19 and in the scheme of rehabilitation the building of the aforesaid. School is in way of constructing on gifted land by villagers which are located to south side to NH-19 Four land highway in the same village, where, the land for the construction of new building has building has already been allocated by the local villagers and the mass density of students have also been covered.

And further for issuance of appropriate directions to respondents to stop the construction of the new school building of Government Primary School, Mouzampur at North side to NH-19 four land Highway which is located to 200 meters from under constructed school building, where the density of the students are marginal and also for dangerous in manner of accidents when the four lane have been crossing for the small children/students.

And further for any other relief/reliefs for which the petitioner is found to be entitled in the facts and circumstances of the case in the light of mass public interest. ”

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)

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