

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8328 of 2020

=====

Jai Vardhan Narayan Advocate, Patna High Court, Advocate on Record No. 07196, Enrolment No. 2202 dated 19.07.2011 of the Bihar State Bar Council, Patna, aged about 33 years, Gender- Male, Son of Sarvendra Kumar Verma, Advocate, Patna High Court, resident of Deans Tank Road, Tari Mohalla, Ara, Bhojpur. Presently residing at Jagat Narayan Road, Kadam Kuan, P.O. and P.S. Kadam Kuan, District Patna - 800003.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Department of School Education and Literacy, Ministry of Education, Government of India.
2. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat Building, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar, Old Secretariat Building, Patna.
4. The Director, Bihar Education Project Council, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr.Jai Vardhan Narayan (In Person)
For the UOI	:	Mr.Dr.K.N.Singh (ASG)
For the State	:	Ms. Shilpa Singh GA-12 & Mr. Abhanjali AC to GA 12

=====

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)



Date : 27-11-2020

Heard learned counsel for the parties.

The present public interest litigation is being filed before this Hon'ble Court for issuance of direction order or writ in the nature of mandamus commanding the respondents to take necessary action in regard to safeguarding the children prosecuting their studies in government schools of Bihar who are completely being denied of their basic access to right to free and compulsory education guaranteed by the Constitution of India amid COVID 19 as all the Government schools are closed and due to digital poverty in the State of Bihar especially in the Government schools, the students are not being provided any form of learning and the teachers are sitting idle without any work and at the same time private schools are providing learning facilities to all their students.

The counsel appearing for the State has brought to the notice of this Court that similar matter involving similar issues is pending before the Apex Court being **Writ Petition(s) (Civil) No(s). 811 of 2020 (Good Governance Chamber Vs Union of India & Ors)** in which notices have been issued to the State of Bihar and counter affidavit is in process of being filed before the Apex Court.



As the Apex Court is in seisin of similar matter in which State of Bihar is also a party respondent, this Court is not inclined to proceed any further in this matter, accordingly, the writ petition is disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.12.2020
Transmission Date	NA

