

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19453 of 2018

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Rangji Singh Son of Sri Surya Narayan Singh, Resident of Village- Bhadwar,
P.O.- Bhadwar, P.S.- Bagen Gola, District- Buxar Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Secondary Education, Education Department, Government of Bihar, Patna.
2. The Director, Secondary Education, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Buxar, District- Buxar, Bihar.
4. The District Education Officer, Buxar, District- Buxar, Bihar.
5. The District Programme Officer, Buxar, District- Buxar, Bihar.
6. The District Welfare Officer, Buxar, District- Buxar, Bihar.
7. The Block Development Officer, Block- Brahampur, District- Buxar Bihar.
8. The Block Education Officer, Block- Brahampur, District- Buxar Bihar.
9. Manoj Kumar Choudhary, Son of Sri Raghuvansh Choudhary, Resident of Village- Bhadwar, P.O.- Bhadwar, P.S.- Bagen Gola, District- Buxar at present posted as Headmaster, Girls High School, Bhadwar, Block- Brahampur, District- Buxar Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
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 27.09.2018 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:

“(i) For issuance of writ of certiorari for setting aside



the order dated 08.08.2017 containing Memo No. 1965 passed by the Director, Secondary Education, Government of Bihar, whereby and whereunder he was pleased to cancel the up-gradation of the Middle School, Bhadwar Which was upgraded by the Joint Secretary-cum-Director (Secondary Education) vide its order dated 09.04.2012 after completing all the necessary process by which the school in question alongwith other Middle Schools were upgraded as High School.

(ii) For issuance of mandamus directing and commanding the respondents to comply the earlier order dated 09.04.2012 containing Memo No. 605 passed by the Joint Secretary-cum-Director (Secondary Education), Government of Bihar by which the school in question along with other schools were upgraded from Middle School to High School.

(iii) For issuance of appropriate writ in the nature of mandamus directing the respondents to allow the school to continue its new session as per the upgraded status as so many students have taken admission in Class-7th to 10th and their career is about to destroy by the impugned order.

(iv) And for the other necessary relief/reliefs for which the petitioner is entitled on the basis of the facts and circumstances of the case.”

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 authority, 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)

sujit/-

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