

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24968 of 2019

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Jogendra Prasad S/o Late Badari Prasad, Resident of Ward No. 7, Village-
Pachtakki Yadu, P.S.- Bairgania, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna
2. The District Magistrate, District- Sitamarhi
3. The District Education Officer, District- Sitamarhi
4. The District Programme Officer (Secondary Education), District- Sitamarhi
5. The Block Development Officer, Block Office, Bairgania, District-
Sitamarhi
6. The Block Education Officer, Block Office, Bairgania, District- Sitamarhi
7. The Mukhiya Gram Panchayat Raj Pachtakkiyadu, P.S.- Bairganiya,
District- Sitamarhi

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate , Advocate
For the Respondent/s : Smt. Shilpa Singh (GA 12)

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 11-12-2020

Petitioner has prayed for the following relief(s):

“I. For issuance of a writ in the nature of mandamus directing and commanding the respondents to establish Senior Secondary High School (10+2) as per the resolution dated 5.2.2018 vide letter no.11/Yo 2-03/2012 Ans. 'Kh' 130 issued by the Education Department, Govt. of Bihar, Patna under signature of Sri



R.K.Mahajan the Principal Secretary, Education Department, Govt. of Bihar, Patna under Pachtakiyadu Panchayat either in the Pachtakiyadu village over the land of the petitioner bearing Khata No.1035, plot no.2661, 2662-63, 2669, 2659, 2660 total area 1 Acre 1 decimal (101 decimal) under village Pachtaki Yadu or to upgrade Government middle Barahi in Senior Secondary High School which is also under Pachtakiyadu Panchayati and the both place are situated in the middle of the Panchayat area instead of the newly upgraded middle school Pachtaki Ram situated under Ward no.6 of the Nagar Panchayat Bairgania.

11. To grant any other relief/reliefs, order/orders, direction/direction to which the petitioner is entitled under fact and circumstances of the case as well as under the law.”

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 filing for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and



preferably within a period of two months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

Petition is disposed of with the direction to the concerned respondent to consider and dispose it of expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

It is clarified that the proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode.

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.

Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

Liberty reserved to the petitioner to approach the



Court, if the need so rises subsequently on the same and subsequent cause of action.

We have not expressed any opinion on merits.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, also stands disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	16.12.2020
Transmission Date	

