

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.319 of 2022

=====

Manoj Kumar Son of Mahesh Prasad Singh, At Agarpur, P.O.and P.S.-
Lalganj, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Education Department, Bihar, Patna.
4. The District Education Officer, Vaishali at Hajipur.
5. The District Programme Officer (Establishment), Vaishali at Hajipur.
6. The Block Education Officer, Lalganj, Vaishali.
7. Smt. Meena Kumari Incharge Headmaster G.A. High School, Lalganj, Vaishali.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate
For the Respondent/s : Mrs.Binita Singh (Sc28)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

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

Date : 13-01-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

“(i) For commanding the respondent to conduct inquiry by vigilance or any other agency the functioning of G.A. Uchhatar Madhyamik Vidyalaya Lalganj Vaishali (hereinafter referred to as the school) as respondent no.7 has indulged in discrimination of students on the basis of caste and

religion and thereafter take action against him.

(ii) To restrain respondent no.7 from functioning on the post of incharge Headmaster of the school till completion of inquiry.

(iii) To grant any others reliefs for which petitioner is found entitled in the facts and circumstances of the case.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned, respondent no.3, the Director, Secondary Education, Education Department, Bihar, Patna or any of the statutory authority to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today 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 four months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of four months from the date of its filing along with a copy of this order;

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

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

(e) 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;

(f) Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same

and subsequent cause of action;

(g) Liberty also reserved to the petitioner to make a mention for listing of the petition on priority basis. As and when any such mention is made, Registry shall take steps for listing the petition at the earliest.

(h) We have not expressed any opinion on merits.

All issues are left open;

(i) 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;

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.01.2022
Transmission Date	NA