

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10685 of 2020**

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Sadanlal Sinha Son of Ramji Prasad, resident of Village - Katwa Rasalpur,  
Police Station- Islampur, District - Nalanda presently ward Member of Ward  
No. 8 Gram Panchayat Raj, Bardaha, Islampur, Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Education,  
Govt. of Bihar, Patna.
2. The Director (Secondary Education), Department of Education, Govt. of  
Bihar, Patna.
3. The Collector, Nalanda.
4. The District Education Officer, Nalanda.
5. The District Programme Officer, Secondary Education, Nalanda.
6. The Block Education Officer, Islampur, Nalanda.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh  
For the Respondent/s : Mr. Lalit Kishore (Ag)

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH  
SHARMA**

ORAL ORDER

2      20-04-2022                      The case is being taken up from defect side.

Learned counsel for the petitioner is directed to  
submit the original petition along with attested affidavits and  
also remove the defects pointed out by the Registry within two  
weeks from today.

The petitioner by way of this writ petition assailed the  
decision of the Director, whereby he has refused to upgrade the  
Middle School, Katwa Rasalpur, while another school namely  
Middle School, Arjun Serthua Sarai, Islampur, Nalanda has been



allowed to upgrade.

Learned counsel submits that initially both the schools were recommended for up-gradation and merely because of non availability of own land, in relation to the school at Katwa Rasalpur, the up-gradation has been stopped.

I have considered the submission.

Question regarding up-gradation of schools is a purely administrative issue which requires to be examined at the level of the educational authorities. However, if there has been a recommendation of up-gradation, it is for the Director to examine whether only on account of non availability of personal land of the school, it should be denied up-gradation or not. If it has other sufficient infrastructure in this regard, the petitioner may make an appropriate representation to the Director, who will examine the issue independently and take a decision by speaking order at its own level preferably within a period of three months from the date of filing of the representation.

The writ petition is disposed of with the aforesaid terms.

**(Sanjeev Prakash Sharma, J)**

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