

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16882 of 2021

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Gaurav Singh Son of Anjani Kumar Singh, Resident of Flat No. 302, Shashi Sudama Niketan, Rajendra Nagar, Road No. -02, P.O.- Rajendra Nagar, P.S. - Kadamkuan, District - Patna (Bihar) - 800016.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar at Patna.
2. The Home Department, through its Additional Chief Secretary, Government of Bihar at Patna.
3. The Additional Chief Secretary, Home Department, Government of Bihar at Patna.
4. The Education Department through its Additional Chief Secretary, Government of Bihar at Patna.
5. The Additional Chief Secretary, Education Department, Government of Bihar at Patna.
6. The Health Department, through its Additional Chief Secretary, Government of Bihar, Patna.
7. The Additional Chief Secretary, Health Department, Government of Bihar at Patna.
8. The Commissioner, Patna Division, Bihar at Patna.
9. The District Magistrate, District - Patna, Bihar at Patna.
10. The Bihar State Education Board (B.S.E.B.) through its Director, Bihar at Patna.
11. The Director, Bihar State Education Board (B.S.E.B.) Bihar at Patna.
12. The Central Board of Secondary Education (C.B.S.E.) through its Director, Bihar at Patna.
13. The Director, Central Board of Secondary Education (C.B.S.E.), Bihar at Patna.
14. The Indian Certificate of Secondary Education (I.C.S.E.), through its Director, Bihar at Patna.
15. The Director, Indian Certificate of Secondary Education (I.C.S.E.), Bihar at Patna.
16. The Principal, Delhi Public School (D.P.S.), School Campus Village - Chandmari, P.S. - Shahpur, Danapur Cantonment, Patna-801502, Bihar at Patna.
17. The Principal, DAV, BSEB Colony Rd. Punaichak, Rajbansi Nagar, Patna - 800023, Bihar at Patna.
18. The Principal, Birla Open Minds, Jaganpura, New Bypass Road, Brahmpur, Patna - 800027, Bihar at Patna.
19. The Principal, Kendriya Vidyalay Kankarbagh, Patna, No. 1, Kankarbagh,



Patna, Bihar 800020, Bihar at Patna.

20. The Principal, Patna Central School (P.C.S.), Road Opposite Maurya Bihar, Jaganpura, Sudarshan Vihar, Patna - 800027, Bihar at Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Advocate Mr. Shatakshi Sahay, Advocates Mr. Nikhil Singh, Advocate
For the Respondent/s	:	Mr. Prabhat Kumar Verma, AAG-3

**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 by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 24-06-2022

Heard learned counsel for the parties.

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

- I. That the present writ application is being filed in the nature of Public Interest Litigation (P.I.L.) for the issuance of the writ, order or direction in the nature of the *Mandamus* to command the concerned authorities to implement the guidelines issued by the Ministry of Homes, Special Cell, Government of Bihar bearing Memo No. जी/आपदा-06-02/2020-5015 dated 04.08.2021, whose 2(ग) clearly states that the option of arranging education through Online Classes will also be kept



- available along with the Physical Classes, in the entire state of Bihar;
- II. That the present writ application is being filed in the nature of *Mandamus* to command the respondent schools to follow the order of the Government and allow the students to access classes in both online and offline mode and not compel them to attend classes on offline/physical mode by threatening them to mark absent; on the ground that the pandemic has not yet ended and since the children have not been vaccinated yet are at a higher risk of getting infected and thus forcing them to attend physical classes puts their life at risk;
- III. And for issuance of any other relief or relief(s) for which the petitioner is entitled for.

Learned counsel for the petitioner does not press the present petition for the same having rendered infructuous.

The instant petition stands disposed of as not pressed.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	29.06.2022
Transmission Date	

