

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4879 of 2020

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Brajesh Kumar son of Ramchandra Singh resident of Village- Dorra, Police Station- Karpi, District- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna- 1.
2. The Additional Chief Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
3. The Director, Secondary Education, Education Department, Government of Bihar.
4. The Regional Deputy Director of Education, Magadh Division, Gaya.
5. The District Magistrate, Arwal.
6. The District Education Officer, Arwal.
7. The Head Master, Middle School, Dorra, Post Office- Dorra, District- Arwal- 804419.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Adv.

For the Respondent/s : Mr.Prabhat Ranjan Singh, AC to Aag15

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

4 04-01-2023

1. Heard the parties.

2. The petitioner by way of this writ petition has
prayed as under:-

*“1. That this application is for
issuance of an appropriate
writ/writs/direction/directions/order/orders for
grant of the following reliefs:-*

*(a) For directing the respondents to
upgrade the Middle School Dorra being the
revenue village of the Panchayat into Secondary
School situated in Karpi Block in the district of
Arwal.*

(b) For directing the respondents to



cancel the proposal to upgrade Middle School Terra into Secondary School in place of Middle School Dorra which has been proposed by BEP.

(c) To grant such other relief/reliefs as the petitioner may be found entitled to in the facts and circumstances of the case.”

3. Upgradation or creation of any School in a particular Panchayat or Block is an exclusive decision to be taken by an Administrative Authorities. Judicial review in this respect is minimal to the extent of discrimination alone.

4. However, in the present case, no right of the petitioner can be said to have been taken away or affected on account of upgradation of another School. The School in the petitioner's locality can also be upgraded by a decision at the level of the State Government alone.

5. No writ petition would be maintainable for such prayers and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 48

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