

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9030 of 2019

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Tara Mehta Saint Kabir Sanskrit High School Malighat, Muzaffarpur through its Secretary namely Anil Tandon Son of Late Gopal Krishna Tandan, resident of Mohalla-Purani Bazar, P.S.-Muzaffarpur, Distirct-Muzaffarpur. Presently resident of 3, Tagore Town, Allahabad, P.S. Kotwali, District-Allahabad (U.P.)
... .. Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Vikas Bhawan, New Bhawan, New Secretariat, Patna.
3. The Special Director (Secondary Education), Human Resources Development Department, Govt. of Bihar, Vikas Bhawan, New Secretary, Patna.
4. The District Magistrate, Muzaffarpur, District-Muzaffarpur.
5. The District Education Officer, Muzaffarpur, District-Muzaffarpur.
6. The District Programme Officer (Establishment), Muzaffarpur, District-Muzaffarpur.
7. The District Transport Officer-Cum-senior Incharge Officer, Legal Cell, Muzaffarpur, District-Muzaffarpur
8. The Bihar Sanskrit Shiksha Board, Patna through its Chairman.
9. The Chairman, the Bihar Sanskrit Shiksha Board, Patna.
10. The Secretary, the Bihar Sanskrit Shiksha Board, Patna.
11. The Examination Controller, the Bihar Sanskrit Shiksha Board, Patna.
12. The Principal, Daroga Shahi Residential Sanskrit High School, Rampur, Muzaffarpur.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Nityanand Mishra, Advocate Mr. Alok Abhinav, Advocate
For the State	:	Mr. Madhaw Pd. Yadaw, GP-23 Mr. Arvind Kumar, AC to GP-23
For the Board	:	Mr. S.S. Sundaram, Advocate Mr. Shashank Shekhar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 11-09-2023 From Annexure '9' which is the Office Order dated 16.05.2018 impugned in the present writ application, it appears that the petitioner is not having 100 decimal of land at one place. Admittedly, 45 decimal of land with building has been registered in



the name of the Governor at one place and rest 58 decimal of land is situated at a distance of 6 kilometers.

2. In such circumstance, no illegality or infirmity may be found with the impugned office order.

3. At this stage, learned counsel for the petitioner has made an effort to submit that the petitioner had applied for the permission for establishing a Madhyamik School in the urban areas and for urban areas, the requirement is only of 45 decimal of land.

4. This Court called upon learned counsel for the petitioner to demonstrate from the materials on the record and the pleadings that the petitioner had applied for permission for establishing a Madhyamik School in the urban areas. Neither any copy of the application form is on the record nor there is any pleading to that effect in the writ application. Thus, this Court is not impressed with the submissions made at the end.

5. This writ application is dismissed. This will, however, not preclude the petitioner from making fresh application in accordance with law.

(Rajeev Ranjan Prasad, J)

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