

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20781 of 2021

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Bishundev Shah @ Vishnudeo Sah Son of Late Beju Shah @ Beju Sah
Resident of Ward No. 10, Bhatouni, P.S. Simri Bakhtiyarpur, District-
Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Addl. Chief Secretary - cum- Principal Secretary, Education Department, Patna.
2. The Director, Primary Education, Patna.
3. The District Magistrate, Saharsa.
4. The District Education Officer, Saharsa.
5. The District Programme Officer (Estab.) Primary Education and Sarv Shiksha Abhiyan, Bihar, Education Project, Saharsa.
6. The State Project Director, Bihar Education Project Council, Shiksha Bhawan, Rastrabhasha Parishad Campus, Saidpur, Rajendra Nagar, Patna - 800004.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anant Kumar 1, Advocate
For the State	:	Ms. Abhanjalli, AC to GA 12
For the BEPC	:	Mr. Girijesh Kumar, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

7 20-03-2023 This writ application has been filed seeking a direction upon the respondents to upgrade Madhya Vidyalaya, Bhatouni, in the District of Saharsa up to Class IX instead of upgrading Madhya Vidyalaya, Bharpura, in the District of Saharsa.

A counter affidavit has been filed on behalf of the State of Bihar making following statements in paragraphs 9 and 10.



“9. That it is relevant to stated here that vide memo No. 11/Misc. 11-93/2016 issued by Deputy Secretary, Education Department, Patna by which circular has been issued that 0.75 acres of open land is required for upgrading the school up to secondary.

10. That as per guideline of State Government all necessary formalities have been fulfilled by Middle School Bhatpura so this Middle School Bhatpura has been selected for starting class IXth education and not upgraded.”

Considering the statements made in the aforesaid paragraphs of the counter affidavit, in our opinion, this writ application has become infructuous and stands disposed of accordingly.

(Chakradhari Sharan Singh, ACJ)

(Partha Sarthy, J)

Spd/Shiv

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