

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11312 of 2024

=====

Shree Yuvak Pustakalaya having its office at Purani Bazar, Shahid Dwar, P.S. and District- Lakhisarai through the Secretary Shyam Sunder Tiberwal (Male), Aged about 89 Years, Son of Late Bihari Lal Tibrewal, Resident of Ward no. 23, P.S. and District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Library and Information Centre Directorate, Bihar, Patna.
3. The Zila Parishad, Lakhisarai, through the Chairman, Lakhisarai.
4. The District Magistrate, Lakhisarai.
5. The District Education Officer, Lakhisarai.
6. The District Programme Officer, Lakhisarai.
7. Srimati Nitu Kumari, Librarian, plus2 Ghosaith High School, Suryagarha, District- Lakhisarai.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Kripa Nand Jha, Adv.
For the Respondent/s : Mr.Standing Counsel (24)

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-08-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For issuance of an appropriate direction, order or writ in the nature of "certiorari" for quashing the memo No. 138 dated 1.4.2021 to the extent it affects the smooth functioning of this institution (Library) which is wholly managed and maintained through its own resources since 1924 and is fully equipped with good educational environment by a private Managing committee having its own bye laws and registration under Society Registration Act, 1860.



(ii) For further issuance of a writ of "certiorari" for quashing the letter No. 366 dated 15.6.2023 issued by the Director, Library and Information Centre Directorate, Bihar, Patna and the consequential memo No. 219 dated 26.6.2023 issued by the District Programme Officer, Lakhisarai by which the respondent No. 7 has been deputed in the present Library without any consent or meeting with the Managing committee of the Library in question.

(iii) For holding and declaring that the letter No. 366 dated 15.6.2023 issued by the Director, library and Information Centre Directorate, Bihar, Patna and the memo No. 219 dated 26.6.2023 issued by the District Programme Officer Lakhisarai are wholly without jurisdiction, contrary to the Bihar State Public Library and Information Act, 2008 and for further holding that the same has been issued only for the purpose to accommodate the respondent no. 7 and thus void-ab-initio."

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, for redressal of his aforesaid grievances. Liberty so sought is granted.

3. It is needless to state that for a period of four weeks from today, status quo existing as on today qua the library in question shall be maintained in order to enable the petitioner to



avail such other alternative remedies as are available under the law.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

sonal/-

U			
---	--	--	--

