

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9003 of 2014

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Haji Abdul Rasid S/O Late Haji Hifajatula Resident of village- Bandh Tola,
Bishanpur, P.S. Korha, Dist. Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resource Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Govt. of Bihar, Patna
4. The District Magistrate, Katihar
5. The District Education Officer, Katihar
6. The Addl. Collector, Katihar
7. The Sub-Divisional Officer, Katihar
8. The District Programme Officer, Katihar
9. The Block Education Extension Officer Korha, Distt. Katihar
10. The Mukhia Gram panchayat Raj Bishunpur, Korha, Distt. Katihar
11. The Headmaster, Up-graded Middle School Dhumgarh, Distt. Katihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Raghvendra Kumar Singh, Advocate
For the Respondent/s	:	Mr.Mujtabaul Haque, GP-12
		Mr.Pranoy Kumar, AC to GP-12
For Intervenor	:	Mr.Bhola Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

9 26-06-2024 1. The present writ petition has been filed seeking the
following relief(s):-

*“1(i) For issuance of an appropriate writ, order,
direction to the Respondent no.10 not to make
any construction of the lands of upgraded
middle school Dhumgarh in the name of Rajeev
Gandhi Seva Kendra i.e. not fore the purpose of*



school rather against the interest of education to the students.

(ii) For issuance of an appropriate writ, order, direction to respondents not to use the lands of khata no. 123, plot no. 1210 and plot no. 1207 mauza Bishunpur, Thana No. 142, Area 1.09 Acres, P.S. Korha, Distt. Katihar for any other purpose except for the purpose of Up-graded Middle School Dhumgrah, Korha, Distt. Katihar.”

2. At the outset, the learned counsel for the respondents, while referring to the affidavit, filed by the Principal Secretary, Education Department, Government of Bihar, Patna has submitted that since the building for Rajeev Gandhi Seva Kendra has been constructed by utilising public money, it has been thought proper to use the same for the purpose it has been constructed, however, it has also been undertaken that since sufficient land is available for further development of the school, in case the same is upgraded, henceforth, no land of the school in question shall be encroached.

3. The learned counsel for the petitioner submits that if it be so, the present writ petition be disposed off.

4. While, recording the aforesaid statement of the Principal Secretary, Education Department, Government of Bihar, Patna and directing him to abide by the aforesaid



undertaking, I deem it fit and proper to dispose off the present writ petition.

(Mohit Kumar Shah, J)

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