

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10648 of 2024

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Ram Ekbal Singh Kushwaha @ Ram Ekbal Singh Son of Late Ram Ugarah
Bhagat@ Ram Ugrah Singh Resident of Village and P.O.- Bahrupiya, P.S.-
Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Human Resources and Development Department, Govt. of Bihar, Patna.
2. The Joint Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Bihar Education Project, Patna.
4. The District Magistrate, District- East Champaran.
5. The District Education Officer, District- East Champaran.
6. The District Programme Officer (Elementary Education), East Champaran.
7. The Block Education Officer, Block- Turkuliya, District- East Champaran.
8. The Chairman, School Education Committee, Rajkiya Utkarmit High School, Jaisinghpur, P.S.- Turkuliya, District- East Champaran.
9. The Headmaster, Rajkiya Utkarmit High School, Jaisinghpur, P.S.- Turkuliya, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar
For the State	:	Mr.Government Pleader (20)
For the BEPC	:	Mr. Girijesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 2 | 16-04-2025 | <ol style="list-style-type: none">1. The petitioner has filed this writ application for a direction to the respondent authorities to change the name of Rajyakrit Upgraded Middle School, Jaisinghpur, in the name of the father of the petitioner, Late Ramugrah Bhagat.2. According to the petitioner, on 07.07.1953, the father of the petitioner donated a piece of land pertaining to mouza Jaisinghpur, having Khata No. 1297, 813, 1124/813, plot |
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no. 4849, 5570, admeasuring 18 kathas, for which a registered gift deed was executed on 07.12.1956 by the father of the petitioner in favour of the Governor of Bihar. The Managing Committee of the School, at that point of time, as per the wish of the donar, named the school as Shri Ramugrah Rajkiya Buniyadi School and continued to impart education to the children of the locality. The school was taken over by the Government in the year 1973 and it was renamed as Rajkiya Upgraded Middle School, Jaisinghpur. Since the petitioner was a child at that point of time, he could not take any action for changing the name of the school in the name of his father.

3. Learned Counsel for the petitioner submits that in the year 2012, a press communique was published in the newspaper by the Principal Secretary, Education Department, to the effect that the land for establishment of primary schools was required and if the land owners voluntarily donate land up to 20 decimals, the name of the school will be kept in the name of the donor or anyone suggested by him.
4. Pursuant to the aforesaid press communique, the petitioner submitted an application to the Director, Bihar

Education Project, Patna, on 05.04.2012, requesting to rename the school, in question, in the name of his father, Late Ramugrah Bhagat.

5. Upon the application of the petitioner, the District Magistrate, East Champaran, vide letter no. 866, dated 11.04.2012, directed the District Education Officer, East Champaran, Motihari, to take necessary steps on the basis of the facts mentioned in the application. Since then, no action has been taken by the respondent authorities.
6. Having heard learned Counsel for the parties concerned and after going through the press communique published in the year 2012 regarding donation of land for establishment of primary schools, it appears from Clause (ग) of the press communique that if the school has not been named in the name of the donor, even in old matters, in that case, if the donor is alive, he could file an application for changing the name of the school in question in his name or the name suggested by him.
7. Admittedly, the petitioner was a child when the school in question was taken over by the State Government in the year 1973 and its name was kept as Rajkiya Upgraded Middle School, Jaisinghpur. The press communique

published in the newspaper for naming the school in the name of the donor, even in old matters, allows to file an application for changing the name of the school in his name or the name suggested by him. The heir of the donor, as per the press communique, was not permitted to claim that the name of the school be changed in the name of his ancestor who donated the land for establishment of the school and subsequently died, but Clause (ग) of the press communique specifically stipulates that donor can file an application for changing the name of the school in question in his name or the name suggested by him.

8. The donation of land was made by the father of the petitioner in the year 1953 and the said school was taken over by the State Government in the year 1973, having different name than the name of the donor and continued to function for a very long period of time. Even, in the year 2012, when the petitioner submitted his application, he did not take any further steps and after a lapse of about 13 years, filed the present writ application for a direction to the respondent authorities to change the name of the school and rename it in the name of his father. It is a stale claim not supported by any statutory provisions.

9. In view of the aforesaid discussion, I do not find any merit in this writ application.
- 10.This writ application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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