

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11385 of 2024

Based on the Honble Supreme Courts order dt. 08-07-2024 passed in Writ petition (Civil) No.204/2024 (Chand Kr. Prasad vs. The State of Bihar and Ors)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Addl. Chief Secretary, Education Department, Govt. of Bihar, Patna.
4. The District Magistrate, East Champaran at Motihari, Bihar.
5. The District Education Officer, East Champaran at Motihari, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s :

For the Respondent/s : Mr. P.K. Shahi, Advocate General

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

6 07-03-2025 One Chand Kumar Prasad had approached the Supreme Court of India with a complaint that a Government Primary School in question had not been functional for the last six years. The Supreme Court thought it fit to transfer the writ petition to Patna High Court to be treated as a petition under Article 226 of the Constitution of India.

2. The petitioner on notice appeared on the first



occasion but never appeared thereafter before this Court.

The proceedings, however, continued.

3. The concerned primary school, viz., Navshrijit Prathmik Vidyalaya, Yaduvanshi Nagar, Kokarwatola, Block Ghorasahan was established but for the paucity of separate building, the primary school was being run in a nearby school, viz., the Upgraded Middle School, Sunderpur.

4. The primary school in question was established under the *Sarva Shiksha Abhiyan* of the State. The DPO, *Sarva Shiksha Abhiyan* has sworn an affidavit that the primary school in question exists where 105 students are enlisted and there are three teachers. The affidavit of DPO also indicates that 12 decimals of land has been identified and made available for construction of a building where the primary school could be shifted.

5. As of now, the primary school has been running in the nearby Upgraded Middle School,



Sunderpur.

6. This Court had asked the District Magistrate, East Champaran at Motihari also to affirm the aforementioned assertion after making spot verification.

7. The affidavit of the District Magistrate has been filed which indicates that the primary school in question is being run in a nearby Government Upgraded Middle School.

8. It is expected that the 12 decimals of land, which had been identified, be acquired and building be constructed for such school where there are 105 students.

9. The records are consigned.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Rajesh/Saurabh

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