

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2401 of 2026

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Badal Kumar Sarkar Son of Late Barkim Chandra Sarkar, Resident of Village-Kurlahiya Man Singh, Police Station-Runnisaidpur, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The Union of India through its Secretary Transport and National Highway Department, New Delhi.
2. The Secretary Transport and Road Construction Department, Government of Bihar, Patna, Bihar.
3. The State of Bihar through Secretary, Human Resources Development Department, Government of Bihar, Patna.
4. The District Magistrate cum Collector, Sitamarhi.
5. The District Superintendent of Education, Sitamarhi.
6. The Block Development Officer, Block-Runnisaidpur, District-Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Dinesh Jha, Advocate
For the State		Mr. P.K.Shahi, Advocate General
For the NHAI		Mr. Saket Tiwari, Advocate
For the Respondent		Mr. Anshay Bahadur Mathur, CGC

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 10-03-2026 This writ application has been filed by one Badal Kumar Sarkar, seeking for the following relief:-

“That this is Public interest application for issuance of appropriate Writ/ Writs, Direction/Directions, Order/ Orders, commanding the Respondents authority to restrain from demolishing or disturbing the building of Middle school, Korlahiya Man Singh, Block-Runnisaidpur, District-Sitamarhi prior to shifting the said school at appropriate place if demolishing is necessary required and further direct the Respondent



that prior to demolishing or breaking the school shift the school at appropriate place which is said to be came in National Highway no. 77 Muzaffarpur to Sitamarhi and further prays for grant another relief/reliefs your lordships may deem fit and proper according facts and circumstances.”

2. It appears that earlier this petitioner had approached this Court seeking for similar relief in CWJC No.7286 of 2012, which was disposed of on 12.04.2012 and a liberty was granted to him to file a representation before the District Superintendent of Education, Sitamarhi which was to be disposed of in accordance with law.

3. The learned counsel submits that the representation was filed and the Authority has passed an order way back on 13th June, 2012 which is annexed as Annexure-P/3, asking the Headmaster I/C and the petitioner to identify the proper space/place so that steps can be taken for shifting of the school in question, in view of the proposed NH-77 Project.

4. There is nothing in the writ petition as to what happened thereafter.

5. After hearing the learned counsel for the parties, since we do not find any illegality in the order dated 13.06.2012, passed by the District Education Officer, Sitamarhi and a little less than 14 years have already



passed, we are not inclined to entertain this writ application.

6. The Public Interest Litigation application is, accordingly, disposed of.

7. Interlocutory application(s), if any, shall stand disposed of.

(Sangam Kumar Sahoo, CJ)

(Alok Kumar Sinha, J)

HR/-

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