

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4693 of 2026**

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Anil Kumar, Son of Late Ramji Sahu, Resident of Mal Godam Road,  
Khagaria, Post Office and Police Station- Khagaria, District- Khagaria.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
3. The Director Secondary Education, Education Department, Government of Bihar, New Secretariat, Patna.
4. The District Magistrate, Khagaria.
5. The Regional Deputy Director of Education, Munger.
6. The District Education Officer, Khagaria.
7. The District Programme Officer (Establishment), Khagaria.
8. The Block Education Officer, Khagaria.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Ms. Sweta Raj, Adv.  
For the Respondent/s : Mr. Anjani Kumar, A.A.G-4

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

4      14-05-2026                      We have heard Ms. Shweta Raj, learned Advocate for  
  
the petitioner and Mr. Anjani Kumar, learned A.A.G.-4 for the  
  
State.

2. The present application, by way of Public Interest  
  
Litigation has been filed for the following reliefs:-

*“i. For issuance of an appropriate  
writ, order direction in the matter of  
mandamus            commanding            the*



*respondent to remove the name of School State Subsids Inter School/Higher Secondary Alouli and shift/settle to another school to Kanya Madhya Vidyalaya or Madhya Vidhyalay, Tharuatol in the district of Khagaria regarding class 6-8 of the Higher Secondary School Identified under PMSHri Vidyalaya and the Middle School to be merged with it.*

*ii. For issuance of an appropriate writ, order direction in the matter of mandamus commanding the respondent to settle/shift the State Subsids Inter School Higher Secondary, Alouli in the District Khagaria for better and quality education to the girls under the PMSHri Vidyalaya class 6-8 Higher Secondary classes, whereas the Inter School/Higher Secondary School, Alauli, Khagaria has not sufficient class rooms as well as school has not even its own building.*

*iii. For any other relief(s) for which petitioner is legally entitled too.”*

3. At the outset, learned Senior Advocate for the State taking this Court through the prayer made in the writ petition alongwith Annexure P/3 of the writ petition, as well as the averments made in the counter affidavit submitted that the present petition though styled as a Public Interest Litigation, is wholly misconceived and not maintainable in law and the same is liable to be dismissed *in limine*, since the petitioner lacks



*locus standi* to maintain the present petition.

It is further submitted by the learned Senior Advocate appearing on behalf of the State that Public Interest Litigation cannot be invoked to challenge administrative or policy decisions on the basis of individual opinion or localized grievance, unless there is a clear violation of constitutional or statutory provisions or demonstrable arbitrariness affecting public interest. The Department of Education, Government of Bihar in furtherance of objective of strengthening school education and in alignment with P.M. Shri Scheme has issued notification bearing Memo No. 380 dated 17.02.2025, whereby a comprehensive and uniform policy decision has been taken for integration and consolidation of Classes VI to VIII of Middle School with Upgraded Secondary School and Senior Secondary School across the State. Drawing attention to the said letter, he further contended that as per clause 3(ii) of the said notification, it has been unequivocally mandated that Classes VI to VIII of the nearest Middle School shall be merged with the concerned Secondary/Senior Secondary School and the said provision leaves no scope for any discretion, deviation or subjective selection, based on any factor including factors such as perceived infrastructure or convenience.



4. In the light of the aforesaid notification, classes VI to VIII of Middle School, Alouli have been merged with P.M. Shri State Subsidized Senior Secondary School, Alouli as the said school is the nearest eligible institution.

5. Having considered the submissions advanced and the averments made in the counter affidavit as also the fact that no grievance has been raised by the school authority in question, we do not find any reason or occasion to entertain the present writ petition, which is said to have been filed in public interest.

6. Having discussed the aforesaid aspect, the present writ petition stands dismissed.

**(Sangam Kumar Sahoo, CJ)**

**(Harish Kumar, J)**

supratim/-

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