

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6674 of 2026

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Dilip Kumar Kushwaha Son of Saheb Singh, Resident of Village-
Koharwaliya, Ward No. 09, P.O.- Musahri Bazar, Police Station- Bijaipur,
District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Human Resource Development Department (Education Department), Government of Bihar, Patna.
2. The Director of Secondary Education, Education Department, Government of Bihar, Patna.
3. The Deputy Secretary, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Gopalganj.
5. The District Education Officer, Gopalganj.
6. The District Programme Officer, Primary Education and Sarv Shiksha Abhiyan, District- Gopalganj.
7. The Block Education Officer, Bijaipur, District- Gopalganj.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Respondent/s : Mr. Government Advocate (11)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 27-07-2026 Heard learned counsel for the parties.

2. The present writ application in the form of a Public
Interest Litigation has been preferred by the petitioner for the
following reliefs:-



“(i) For setting aside the order contained in Memo No.- 496 dated 11.04.2026 passed by District Programme Officer (Primary Education and Sarv Shiksha Abhiyan), Gopalganj through which a direction was given to Block Education Officer, Bijaipur to shift the Higher Secondary School, Musahari in Middle School, Musahari within a week.

(ii) Further to direct the Respondent Authorities to let the functioning of Higher Secondary School, Musahari at Koharwaliya where it is functioning since 2020 after holding survey with respect to availability of adequate land and other criteria for smooth functioning of Higher Secondary School according to the criteria as laid in Memo No.- 876 dated- 07.06.2021.

(iii) And/or for any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner is found entitled to under the facts and circumstances of the case.”

3. Upon perusal of record, it appears that the petitioner has submitted a representation dated 20.04.2026 (Annexure-P/4 to the present writ application) before Respondent No. 2, which is still pending consideration.

4. Considering the same, Respondent No. 2 is directed to consider and dispose of the petitioner's representation by passing a reasoned and speaking order, in accordance with law, after affording due opportunity of hearing to all the stakeholders, preferably within a period of 8 weeks from the



date of receipt/production of a copy of this order.

5. With the aforesaid observations and directions, the present writ application stands disposed of.

6. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

Sachin/-

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