
(2002) 11 PAT CK 0070
In the Patna High Court
Case No : C.W.J.C. No. 12494 of 2002

Krishna Dubey

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 13-11-2002

Acts Referred:

Bihar Panchayat Raj Act, 1993 — Section 22
Constitution of India, 1950 — Article 243

Citation : (2003) 3 PLJR 350

Hon'ble Judges : Ravi S. Dhavan, C.J;R.N. Prasad, J

Bench : Division Bench

Judgement

1. The grievance of the Petitioner in this petition filed as a public interest litigation is at a primary school which had initially been opened in the village Dudhar after (sic)berations by the Gram Panchayat has been shifted on the pressure of a State (sic)ster for two reasons to another village (sic)ri Bigha.
2. The court is expressing nothing on its but truly one thing needs to be fasted that in reference to Article 243 in the Constitution of India in the matter being to powers, authority and responsions of Panchayats, read with Eleventh schedule, item 17, these are matters relates Panchayats. Item 17 reads "educanal including primary and secondary (sic)ol" Further, Section 22 of the Bihar Panchayat Raj Act, 1993 Sub-section (xiii) refers to functions of Gram Panchayat in the context of education, including primary and secondary schools.
3. Truly, these are matters of Panchayats whose decision cannot be ignored so easily. The Petitioner may represent to the District Magistrate concerned.
4. With the aforesaid observations this matter is consigned.