

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(PIL) No. 1654 of 2018

Satish Chandra Singh, S/O Late Balbhadra Prasad Singh,
Resident, P.O. & P.S. Talghadha, District-Deoghar.

..... **Petitioner**

Versus

1.Union of India, through the Ministry of Human Resource Development Department of School Education and Literacy, Shastri Bhawan, Jeevan Deep Building, Parliament Street, P.O. & P.S. R.K. Puram, New Delhi.

2.State of Jharkhand, through the Principal Secretary, Department of Social Education and Literacy, Government of Jharkhand, at P.O. & P.S. Dhurwa, District-Ranchi.

3.The Director, Primary School Education, Government of Jharkhand, at Project Building, P.O. & P.S. Dhurwa, District-Ranchi.

..... **Respondents**

Coram: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE H.C. MISHRA

For the Petitioner Mr. Kaustav Roy, Advocate
For the Respondents-State Mr. Atanu Banerjee, G.A

Order No. 07/Dated : 8th February, 2019
Aniruddha Bose, C.J.

In this writ petition the petitioner primarily questions the legality of reorganization of Primary Schools being effected under Memo No. 13/सं० 5-01/2018 410 dated 9th February, 2018 (at page 86 of the writ petition) issued by the State Government. Complaint of the writ petitioner is that such merger would breach the distant norms and a child would have to travel longer distance to attend school.

We are apprised by the learned counsel for the parties that by this memorandum, certain Primary Schools are being merged. According to Mr. Banerjee, learned counsel appearing for the State-respondents, such measure is being taken upon consultation with the NITI Ayog to maintain sufficient students in individual Primary Schools and also for ensuring healthy teacher and student ratio. In the counter-affidavit judgments of a Coordinate Bench delivered in W.P (PIL) No. 3227 of 2018 decided on 23rd July, 2018 and

W.P.(PIL) No. 3123 of 2018 also decided on the same day have been annexed. In both the aforesaid writ petitions, the aforesaid policy was under challenge. Similar view has been taken by this Court in a judgment delivered on 14th August, 2018 in W.P.(PIL) No. 2545 of 2018. The matter pertains to policy issue on which Courts seldom interfere. Moreover, on the subject dispute, there are three judgments of Coordinate Benches of the Court repelling the challenge to the aforesaid policy. We do not find any reason to take a different view. The writ petition accordingly shall stand dismissed.

There shall be no order as to costs.

(Aniruddha Bose, CJ.)

(H.C. Mishra, J)

satyendra/amardeep