

7.4.2016

Shri R.K. Pandey, Advocate for the petitioner.

Shri Pushpendra Yadav, G.A., for the respondents/State.

Counsel for the respondents/State, on instructions, submits that repair of existing structure of the school building is not feasible, as per the Expert's opinion. The Department is exploring the possibility of the demolition of the present structure and construct a new school building.

Counsel for the petitioner submits that the petitioner apprehends that the new building will be used for starting secondary school. According to him, primary school is the need of the locality.

Petitioner has made representation to the Collector in this behalf on 15.1.2016 (Annexure-P/11). Since the same is pending before the Collector, we have no manner of doubt that the Collector will consider all aspects of the matter and in consultation with the other duty holders take decision, as may be advised and permissible in law. If the petitioner or similarly placed persons are aggrieved by the said

decision, will be free to pursue such remedy, as may be permissible in law. The Collector must take final decision at the earliest.

**Disposed of.**

**(A. M. Khanwilkar)**  
Chief Justice

**(Sanjay Yadav)**  
Judge

*Khan\**