

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4072 of 2015

=====

1. Nirmala Kumari wife of Sri Bhagirath Prasad resident of village Mundipur, P.O. Ranipur, P.S. Aingari, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The Director, Bihar Education Project, Patna.
5. The District Magistrate, Nalanda.
6. The District Programme Officer (Establishment), Nalanda.
7. The District Programme Officer (Sarva Shiksha Abhiyan), Nalanda.
8. The Block Education Officer, Ekangarsarai, Nalanda.
9. The Head Master, Upgraded Middle School, Benipur, Ekangarsarai, Nalanda.
10. The Accountant General, Bihar, Patna
11. Sri Suhawan Kumar, the Chairman, School Examination Committee, Upgraded Middle School, Benipur, Ekangarsarai, District Nalanda.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Prashant Sinha
For the Respondent/s : Mr. Prabhaker Dwivedi, AC to SC-21

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 26-03-2015

26.03.2015

Heard learned counsel for the parties.

The issue raised by the petitioner cannot be resolved by the Court under Article 226 of the Constitution of India. These are the matters, which are required to be verified on the ground as well as from the records and ledgers as well as account books, maintained by the school or the Headmaster.

However, the explanation, which is being offered by the petitioner before this Court through the

writ application, can very well be verified and its authenticity can be tested on the ground by the District Programme Officer (Establishment), Nalanda, if the petitioner approaches him with the details of the assignment, advances and the work done and her responsibility in this regard. If the petitioner moves such an authority, the District Programme Officer (Establishment), Nalanda will have a duty to pass an appropriate order on the responsibility or liability, if any, of the petitioner in this regard. This is required to be done within a period of three months for the reason that the petitioner has now superannuated and all her post retiral benefits have now stuck up because of non-issuance of no-objection-certificate etc.

Writ application stands disposed off with observation / direction as above.

(Ajay Kumar Tripathi, J.)

SKM/-

U			
---	--	--	--

