

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12223 of 2014

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Ramjee Singh son of late Bishwanath Singh, resident of Village Ratanpur Deori,
P.S. Kahalgaon, District Bhagalpur

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Human Resource Development Department, Government of Bihar, Patna
2. The Director, Education Department, Bihar, Patna
3. The Commissioner, Bhagalpur Division, Bhagalpur
4. The District Magistrate, Bhagalpur
5. The District Education Officer, Bhagalpur
6. The District Programme Officer (Establishment), Bhagalpur
7. The Sub-Divisional Officer, Kahalgaon, Bhagalpur
8. The Block Education Officer, Kahalgaon, Bhagalpur
9. The Head Master, Middle School, Deori, Kahalgaon, District- Bhagalpur

.... Respondents

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Appearance :

For the Petitioner : Mr. Bhola Prasad, Advocate

For the Respondents : Mr. Ajay, G.A. 12

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 09-02-2015

The petitioner is a resident of village Ratanpur Deori, P.S. Kahalgaon, District Bhagalpur. He filed this writ petition by way of Public Interest Litigation with a prayer to direct the respondents to cause an enquiry into the illegality and misappropriation of funds in the Mid Day Meals Scheme in the School at their place. He submitted that the Headmaster, 9th Respondent, is submitting false and fictitious bills though he provides Mid Day Meals for hardly one or two days, he is



claiming the bill for the entire month. The writ petition was adjourned on 05.01.2015 directing the District Magistrate, Bhagalpur to enquire into the matter with the 9th Respondent and to submit a report.

The District Magistrate filed a counter affidavit stating that in compliance of directions of the Court, a Committee was constituted, which in turn enquired into the allegations levelled against the 9th Respondent. It is stated that the 9th Respondent has submitted false and concocted bills and though he provided Mid Day Meals in September, 2013 for two days, claimed bill for 15 days. He further stated that a show cause notice dated 23.01.2015 was issued by the District Education Officer, Bhagalpur, 5th Respondent and further action would be taken after filing of reply by the 9th Respondent.

Heard Sri Bhola Prasad, learned counsel for the petitioner and Sri Ajay, learned Government Advocate -12 for the respondents.

The facts stated by the petitioner turned out to be true and it emerges that the Headmaster, 9th Respondent is not running the Scheme, properly. The counter affidavit discloses that the District Education Officer, Bhagalpur, the 5th Respondent has issued show cause notice to the 9th Respondent.

Therefore, the writ petition is disposed of, with a direction to the Respondents 4 and 5 to take suitable action

against the 9th Respondent after giving him an opportunity. The exercise shall be completed within four weeks from today. The 4th and 5th Respondents shall ensure that no irregularity shall take place in the Mid Day Meals Scheme in future also.

The writ petition is disposed of. There shall be no order as to costs.

(L. Narasimha Reddy,CJ)

Chandran/Md.Ibrarul

(Vikash Jain, J)

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