

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.774 of 2013

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1. SWERA (Society For Weaker's Education and Rehabilitation Apprentice), Flat No. 14-D-220, Abul Fazal Enclave, Jamia Nagar, Okhla, New Delhi - 110025, through its President Ashraf Jamal Son of Late Faiyazuddin

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Human Resources Development Department, Government of Bihar, New Secretariat, Patna - 1
2. The Director, Primary Education, Human Resources Development Department Government of Bihar, New Secretariat, Patna
3. The District Magistrate, Patna
4. The District Education Officer, Patna
5. Incharge, Mid-Day Meal, Patna District Patna
6. Sub-Divisional Education Officer, Patna Sadar, District - Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Nandan Prasad, Adv.

For the Respondent/s : Mr. Rajeev Kr. Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

5 23-11-2015 None appears on behalf of the petitioner.

Mr. Rajeev Kumar Singh, learned G.P.2 appears for the State.

There is no counter affidavit on record.

The writ petition was filed on 11.1.2013 praying for a direction to the authorities of the Education Department including the Director, Primary Education, Human Resources Development department, Government of Bihar and the authorities connected with the Mid Day Meal Scheme to make payment of the admitted dues of the petitioner relatable to the bills submitted for the months of May, 2008 to July, 2008 which the petitioner states, were submitted before the Sub Divisional Education Officer-cum-Mid Day Meal Incharge and is to the tune of Rs. 12,92,011/-. The

matter remains pending for more than 2 years and neither a contest nor acceptance of the grievance is on record nor there is representation on behalf of the petitioner either.

Mr. Singh learned G.P.2 with reference to the agreement entered in between the parties present at Annexure-1 submits that Clause 20 of the agreement enables the petitioner to raise his dispute before the District Magistrate, Patna. He thus submits that the grievance whatsoever can well be raised by the petitioner before the District Magistrate, Patna.

Having heard Mr. Rajeev Kumar Singh learned G.P.2 and having perused the conditions of agreement, the writ petition is disposed of with liberty to the petitioner to raise his grievance before the District Magistrate, Patna who is the respondent No.3 herein and any such application being filed by the petitioner along with supportive documents would be considered and disposed of by the District Magistrate within 3 months of receipt thereof. It goes without saying that any admissible claims of the petitioner should be paid to him within 3 months of receipt of the filing of such representation and in case the claim so raised is not found entertainable, the same be disposed of by speaking order after giving opportunity of hearing to the petitioner.

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(Jyoti Saran, J)