

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13177 of 2014

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1. Manoj Kumar Son of Late Chhedi Prasad Keshri Village & P.O. Ratan,
P.S.- Gogri Jamalpur, District- Khagaria, At present resident Utkramit
Middle School Bihar on deputation of Jamui, District- Jamui.

.... Petitioner

Versus

1. The State of Bihar
2. The Director of Primary Education, Govt. of Bihar, Bailey Road, Patna.
3. The District Education Officer, jamui
4. The Officer Superintendent of Education, Jamui.
5. The District Madhyan Bhojan Prabhari, Jamui. null null
6. The Head Master (Sri Uttam Tiwary) Nagdeva Anchal Barhat, District-
Jamui.
7. Ex- Head Mastress, Kumari Manorma Sinha.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh
For the Respondent/s : Mr. Rishi Raj Sinha, SC-19
Mrs. Archana Prasad, AC to SC-19

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-09-2018 Heard learned counsel for the petitioner and counsel
appearing on behalf of the respondents.

The present writ petition has been filed for payment of
dues amount of the petitioner in connection with Mid Day Meal
Scheme.

Learned counsel for the petitioner submits that the
Block Education Officer, Jamui vide his letter no.70 dated
02.05.2012 and letter no.71 dated 30.01.2013 has also given order
for payment of Rs. 23,000/- to the petitioner but the same has not
been paid till today.



Learned counsel for the respondents submits that the petitioner was asked to provide documents, but no documents have been produced by the petitioner. From the document annexed to the writ petition, it is apparent that the B.E.O. has admitted that Rs. 23,000/- payable to the petitioner in connection with Mid Day Meal Scheme. The subsequent objection in connection with the payment is non-production of the documents which was admitted by the B.E.O, Jamui and as such subsequent decision rejecting the claim is not based on the appreciation of the fact whether the petitioner has spent amount in connection with Mid Day Meal Scheme or not. The finding of the respondents against the petitioner raised on the ground of absence of the petitioner in pursuing academic activity is totally misconceived. Mid Day Meal Scheme is not part of the academic activity. It is in addition of the academic activity, the petitioner may be proceed against for his failure in discharging his academic work but that cannot be a ground of dispute or deny the payment of amount of Rs. 23000/- which was spent by the petitioner in connection with Mid Day Meal Scheme. Necessary decision in connection with payment of dues of the petitioner in the light of documents and materials of expenditure on mid day meal may be taken within a period of four months from the date of receipt/production of a copy of this order.



In view of the above, this writ petition stands allowed and disposed of with direction hereinabove.

The order Annexure-C will not come in way of the respondents in making payment of admitted dues amount of the petitioner determined in connection with Mid Day Meal Scheme.

(Anil Kumar Upadhyay, J)

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