

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 6574 of 2015

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Shridhar Kumar Jha, Son of Late Ishwari Nandan Jha, Resident of Village Sugia Katsari, P.S. Sheohar, District Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Director, Primary Education, Bihar, Patna.
3. The District Education Officer, East Champaran at Motihari.
4. The District Programme Officer (Establishment), East Champaran at Motihari.
5. The Block Education Officer, Phenara, District East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate
For the State : Mr. Anil Kumar Sinha, G.A. 1
Ms. Aditi Hansaria, A.C. to G.A. 1

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 05-03-2018

Heard learned counsel for the petitioner and State.

2. In terms of order dated 16.02.2018, Mr. Ram Kumar, respondent no. 4 and Mr. Usman Mian, respondent no. 5, are present in Court.

3. Before coming to the merits, the Court would deal with the conduct of respondents no. 4 and 5. Due to their non cooperation with the learned State counsel, the Court was left with no option but to direct for their personal appearance. The explanation is that the concerned clerk has been suspended for quite some time and has also not handed over charge to any person with the result that only upon coming to know of the order dated 16.02.2018, they



have sent instructions.

4. The Court does not accept such lame excuse. It is the duty of the head of the office to be informed moreso, when matters are pending in the Courts which require to be monitored on a personal level by the higher authorities. However, in view of unconditional and unqualified apology tendered by them, the Court is persuaded by the prayer of learned State counsel to give them one indulgence.

5. The said matter stands consigned.

6. Coming to the merits of the case, the stand is that Rs. 1,59,696/- was the amount drawn by the petitioner for distributing it as scholarship to the students but the same has not been accounted for as no details as to whom it was distributed has been furnished to the authorities.

7. As the amount taken by the petitioner is not denied, the Court gives him liberty to give details of the amount given to the students as scholarships which will include the name of the individuals, the amount given to them and proof/evidence of the amount being actually received by those students. The same be given within two weeks from today to the respondent no. 4. Upon doing the same, the authorities shall verify the same within the next three weeks. Thereafter, order shall be passed by the respondent no. 4 on



the issue and depending on the outcome of the exercise, the remaining dues of the petitioner shall be dealt with, in accordance with law, within the next three weeks.

8. The writ petition stands disposed off in the aforementioned terms.

9. All payments shall now abide by the final outcome of the exercise indicated above.

10. The personal appearance of the officers stands dispensed with.

(Ahsanuddin Amanullah, J.)

P. Kumar

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