

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 16516 of 2015

=====

Indira Kumari, Wife of Sri Manoranjan Kumar Gupta, Resident of Chandmari, P.S.
Motihari Town, District- East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. The Collector, East Champaran, Motihari.
4. The District Education Officer, East Champaran, Motihari.
5. The District Programme Officer (Establishment), East Champaran.
6. The District Programme Officer, Mid day Meal Scheme, East Champaran, Motihari.
7. The Block Education Officer, Block-Motihari, East Champaran, Motihari.
8. The Deputy School Inspector/tress, Motihari, East Champaran.
9. The Head Master, GMS Bal Niketan, Motihari, East Champaran.

.... Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan, Mr. Vikas Kumar and Mr. Pankaj Kumar, Advocates
For the State	:	Mr. Kameshwar Prasad Gupta, G.P. 10

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 02-02-2018

Heard learned counsel for the petitioner and the State.

2. As of now, the only grievance which remains is with regard to the petitioner not handing over charge of 355 Kgs of rice. The remaining dues of the petitioner stands paid and 355 Kgs. of rice valued at Rs. 2005.75/- and Rs. 20,208/- and 6,230/- which have been withdrawn by her prior to her retirement and not refunded as well as Rs. 27,721/- which has been shown remaining in the daily M.D.M. register, has been shown against her. Thus, a total of Rs. 54,159.21/- amount which has been withheld and 355 Kgs. of rice



amounting to Rs. 2005.75/- has been held outstanding against her.

3. From the pleadings on record, the Court is not in a position to adjudicate on such purely factual aspect as the same will have to take into account the actual position and the entries made in the various official records.

4. In view thereof, nothing further remains to be adjudicated in the present writ application and accordingly, the writ petition stands disposed off.

5. However, the petitioner shall be at liberty to appear before the respondent no. 4 and submit a detailed representation explaining her stand with regard to handing over of charge of 355 Kgs. of rice as well as reconcile the amount which is said to have been withdrawn by her prior to her retirement and not refunded and of the daily M.D.M. Scheme. If the same is done within four weeks from today, the respondent no. 4 shall be obliged to make inspection of the school in question himself, along with the petitioner, on any date fixed by him, where actual verification shall be done, both with regard to the rice as well as with regard to the entries made in various registers as well as the documents by which the petitioner claims to have handed over charge of the rice as well as the amount which is being held against her. After such verification, an opportunity shall be given to the petitioner to explain from the records and the respondent no. 4



shall pass a reasoned and speaking order within two weeks from the date of actual inspection. If the respondent no. 4 comes to the conclusion that any amount is reconcilable as per the official documents/records, the benefit of the same shall be given to her within the next two weeks of the passing of the order.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	

