

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15021 of 2017

- =====
1. Navagrah Narayan Singh Navendu, son of Sri Panch Singh, resident of Village + Post Kolwa Paigambar Pur, P.S.- Ahiyapur, District- Muzaffarpur.
 2. Gyanesh Ranjan, son of Sri Shyam Kumar Singh, resident of Village+ Post- Banka Bag, Fardogola, Bhagwanpur, Muzaffarpur.
 3. Lal Babu Ray, son of Prabhu Nandan Ray, resident of Village + Post- Tarajiwar, Via- Narma, District- Muzaffarpur.
 4. Upendra Kumar, son of Late Yogendra Ray, resident of Village- Kuiyan, P.O.- Jaint Pur Estate, District- Muzaffarpur.
 5. Bhupendra Kumar, son of Sri Baidyanath Pathak, resident of Village + Post- Kharaunadin, Via- Patahi, District- Muzaffarpur.
 6. Rekha Rani, wife of Sujit Kumar, resident of Village+ Post- Bhatauna, Via- Patahi, P.S.- Karza, District- Muzaffarpur.
 7. Archana, D/o Surendra Chaudhary, resident of Village+ Post- Shastri Nagar, Near Chauri Nahar, P.O.- Ramna, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Education, Government of Bihar, New Secretariat, Patna.
3. The Secretary, Primary Education, Department of Education, Government of Bihar, New Secretariat, Patna.
4. The Director, Mid Day Meal, Planning, Government of Bihar, Vikas Bhawan, New Secretariat, Patna.
5. The District Magistrate, Muzaffarpur.
6. The District Programme Officer, Mid Day Meal, Muzaffarpur.
7. The District Education Officer, Muzaffarpur.
8. The Welfare Officer, Establishment, Muzaffarpur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra, Advocate
For the Respondent/s : Mr. Amit Bhushan, AC to GP-17

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 11-01-2018

Heard Mr. Sanjeev Kumar Mishra, learned counsel
appearing for the petitioners and Mr. Amit Bhushan, learned
Assisting Counsel to Government Pleader No.17 for the State.

The petitioners are aggrieved by the order bearing letter



No.1672 dated 21.8.2017 of the District Education Officer, Muzaffarpur impugned at Annexure 7 to the writ petition, whereby the honorarium admissible to the petitioner on the status as a Block Resource Person has been stopped, inter alia, on grounds that their service contract has not been extended.

It is not in dispute that the contract of the petitioner was lastly extended vide order dated 17.4.2013 of the Incharge Officer, District Mid Day Meal Scheme, Muzaffarpur, a copy of which is present at running page 23 of the writ proceedings, whereby the contract was extended until 31.3.2014. It is again not in dispute that this contract has not been renewed and obviously it is in this background that by the order impugned dated 21.8.2017 of the District Education Officer, Muzaffarpur the honorarium has been stopped.

Mr. Sanjeev Kumar Mishra, learned counsel appearing for the petitioners has relied upon an advisory issued by the Director, Mid Day Meal Scheme, Bihar, Patna, a copy of which is present at Annexure 5 and with particular reference to paragraphs 14 thereof which deals with 'miscellaneous matter' he submits that in so far as the non-extension of contract is concerned it has been advised that if the employee concerned has discharged duties even though the contract has not been renewed, payment should be made. He



next invites the attention at Annexure 6 to submit that a committee constituted chaired by the District Magistrate is empowered to look into the grievance.

Having heard learned counsel for the parties and considering the grievance raised, the writ petition is disposed of with liberty to the petitioners to raise their grievance as regarding the extension of contract as well as for payment of honorarium for the period served, before the District Magistrate, Muzaffarpur and it goes without saying that any such representation filed, shall be considered and disposed of by the District Magistrate in accordance with law within three months from the date of receipt/production of a copy of this judgment.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.01.2018
Transmission Date	NA

