

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2385 of 2020

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Rajendra Prasad Barai Son of Late Jhari Barai Resident of Village and P.O.-
Sighouri, P.S.- Sikandra, District- Jamui.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The District Magistrate, Jamui, District- Jamui.
4. The District Education Officer, Jamui, District- Jamui.
5. The District Programme Officer, (Primary Education and Sarv Shiksha
Abhiyan), Jamui, District- Jamui.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Mukul Jee, Advocate
For the Respondents : Mr.Madhaw Prasad Yadav, GP23

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-02-2020 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

The grievance of the petitioner in the present writ application is non-adjustment of Rs. 1,74,780/- which was used for construction of the school building.

The respondents have decided to relegate the teacher to the position of contractor . Instead of engaging the contractor to construct the school building, the respondents in their wisdom decided to get the works constructed from the teachers and as such, instead of imparting education, the petitioner was engaged to work as contractor and wasted his valuable time for construction of the school building.

Learned counsel for the petitioner submits that the



petitioner has utilized the fund of the Government for the purpose of construction of the school building but the same has not been adjusted.

Without entering into any controversy whether construction made by the petitioner was properly measured or not and whether the amount with which the petitioner is seeking adjustment was verified by the respondent or not, the writ application is disposed of with a direction to the District Programme Officer (Primary Education and **Sarv Shiksha Abhiyan**), Jamui (respondent no. 5) to verify the record including measurement book to ascertain construction made by the petitioner in the present case. After proper accounting, he shall take fresh final decision with regard to the liability of the petitioner. Necessary decision after proper measurement of construction work and accounting shall be taken by the respondents and thereafter the respondent shall make fresh demand if at all the petitioner is liable to pay any amount after proper accounting. Entire exercise in this regard shall be completed within three months from today.

With the aforesaid, the present writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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