

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3068 of 2015

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Ram Pravesh Singh Son of Babu Ram Singh. District Secretary, Bihar Rajya
Prathmik Shikshak Sangh, Andar Dhala Laxmi Nagar, Siwan, P.O.+P.S.
+District-Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Siwan.
3. The District Education Officer, Siwan.
4. District Programme Officer Establishment, Siwan.
5. District Programme Officer, Sarva Siksha Abhiyan, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Bipin Bihari Singh, Advocate
For the Respondent/s	:	Mr.Rajesh Singh, Advocate
		Mr. Girijesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-12-2022 The present writ petition has been filed seeking the
following reliefs:-

*“1. That present writ petition is being filed for
issuance of an appropriate writ/writs, order/orders,
direction/directions for quashing under Memo No.
1892 Siwan dated 30.12.2014 passed and issued by
District Education Officer, Siwan directing for
recovery/refund of amounts/funds allotted for
Science Kit, Math Kit and for books to the Middle
School and Primary School and for case amount
not refunded by the concerned Headmaster
necessary steps will be taken for lodging the F.I.R.
and reporting it in absence of proper and*



appropriate consideration with effect in terms of allotment aforementioned decision rendered by the Vidyalaya Siksha Samiti and on or after purchase utilization certificate much earlier. In said background approach adopted is highly unreasonable in the eye of law and for other necessary relief/reliefs to the basis of the facts and circumstances of case as enumerated and stated hereinafter.”

At the outset, the learned counsel for the respondent-State has taken a preliminary objection regarding maintainability of the present writ petition inasmuch as the present writ petition has been filed by the District Secretary, Bihar Rajya Prathmic Shikshak Sangh, Andar Dhala Laxmi Nagar, Siwan whereas the decision taken by the District Education Officer, Siwan on 30.12.2014, is a general order, whereby and whereunder all the Block Education Officers have been directed to ensure recovery of the defalcated amount pertaining to misappropriate of the amount of science kit and math kit by the individual Principals/teachers, however, there is nothing on record to show that individual order of recovery of the misappropriated amount has been issued.

In view of the aforesaid, this Court deems it fit and proper to dispose off the present writ petition, however, with liberty to the individual Principals/teachers to seek redressal of



their grievances by availing such remedies as are available under the law, in case individual orders of recovery have been issued qua them.

The writ petition stands disposed off, however, with the aforesaid liberty.

(Mohit Kumar Shah, J)

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