

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13812 of 2015

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Bechan Paswan Son of Late Tanik Paswan Resident of village - Toralpur, Post
Office Mustafapur, Police Station - Surajgarha, District - Lakhisarai

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Mid - Day Meal Scheme, Bihar, Patna
3. The District Magistrate, Lakhisarai
4. The District Education officer, Lakhisarai
5. The Incharge Officer, Midday Meal Scheme, Lakhisarai
6. The Incharge Headmaster, Upgraded Middle School, Toralpur, Kajra, Lakhisarai

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Dharmendra Kumar Raju
For the Respondent/s	:	Mr.Manikant Mishra
		Mr. Gautam Kumar yadav, AC to GP 26
		Mr. Girijesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-03-2023 The present writ application has been filed by the petitioner claiming honorarium with interest for the work done by him as a “Cook” starting from 26.02.2014.

Learned counsel for the petitioner submits that the joining of the petitioner as Cook was accepted on 26-02-2014 in the Upgraded Middle School, Toralpur, Kajra, Lakhisarai and he worked till 08.04.2015 but his honorarium has not been paid. Learned counsel relies upon Annexure-5 and other documents annexed at Annexures-7, 8 & 9 in support of his argument and submits that an enquiry was ordered by the District Education Officer, Lakhisarai pursuant to the representation made by the



petitioner in the “Janta Darbar” and before the District Education Officer, Lakhisarai at Annexure-9 to this writ application. The petitioner had worked for the aforesaid period which would be evident from the aforesaid Annexures.

On the other hand, learned counsel for the State referring to the counter affidavit filed on behalf of the respondent no. 5 submits that that District Programme Officer (PM Poshan Yojna), Lakhisarai vide his letter no.15 dated 11.01.2023 issued a letter to the Incharge Headmaster of the Upgraded Middle School, Toralpur, Kajra, Lakhisarai to submit the absentee report of the petitioner so that his salary could be processed and paid. In response to the aforesaid letter, the Incharge Headmaster of the Upgraded Middle School, Toralpur, Kajra, Lakhisarai vide his letter dated 12/01/2023 reported that though the petitioner had joined as Cook on 26/02/2014 but he did not work for a single day. The Incharge Headmaster further informed that the petitioner after joining took the attendance register with himself and never came back to the school thereafter.

After hearing heard learned counsel for the parties and taking into consideration the specific statement made in the counter affidavit filed by the respondent no. 5 that the petitioner



did not work for the period claimed by him and only worked on 26.02.2014, no direction can be issued for payment of honorarium to the petitioner.

Accordingly, this application is dismissed.

(Anil Kumar Sinha, J)

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