

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14637 of 2019

1. Bhim Sen Son of Bali Ram Prasad resident of Sikthi, P.O.- Akhlaspur, District- Kaimur, Presently In-charge Headmaster, New Primary School, Sugia Pokhar, Bhagwanpur, Kaimur.
2. Usha Kumari Wife of Binod Kumar resident of Ward No. 6, Bhabua, District- Kaimur- 821101, Presently In-charge Headmistress, New Primary School, Bhatwaliya, Bhagwanpur, District- Kaimur.
3. Sarita Kumari D/o Sudarshan Tiwari resident of Village- Sonav, P.O.- Kharendra, P.S.- Belav, District- Kaimur, Presently posted at Utkramit Middle School, Auora, Bhagwanpur, Kaimur.
4. Shikha Kumari wife of Kishore Kumar resident of Village- Bellav, Rampur, District- Kaimur, Presently posted as In-charge Headmistress, New Primary School, Dharcholi, Bhagwanpur, Kaimur.
5. Satish Kumar Son of Parasnath Pal resident of Basgitiya, P.O.- Khanaithi, Bhabua, Kaimur, at present In-charge Headmaster, New Primary School, Tekra, Bhagwanpur, District- Kaimur.
6. Chandra Bhushan Pandey Son of Late Kamta Pandey resident of Village- Nibiya, P.O.- Kaser, P.S. Bhagwanpur, District- Kaimur, at present In-charge Headmaster, Primary School, Jaitpur Kala, Bhagwanpur, Kaimur.
7. Ashutosh Kumar Singh S/o Anirudh Singh resident of Village- Umapur, P.S.- Bhagwanpur, District- Kaimur, at present In-charge Headmaster Primary School, Umapur, Bhagwanpur, Kaimur.
8. Pramod Kumar Son of RamBali Ram resident of Village- Ballipur, P.O.- Pahadiya, P.S.- Bhagwanpur, Kaimur, at present In-charge Headmaster, New Primary School, Dhangadha, Bhagwanpur, District- Kaimur.
9. Dilip Kumr Gupta Son of Late Shyam Sundar Prasad resident of Ward No. 3, Bhabua (north to Patel Chowk) District- Kaimur, at present Utkramit Middle School, Khira, P.S.- Bhagwanpur, District- Kaimur.
10. Amerika Prasad Son of Komal Prasad resident of Village- Jamalpur, P.O.- Jamabpur Pateri, District- Kaimur, at present Headmaster, Utkramit Middle School, Amarpur, Bhagwanpur, District- Kaimur.
11. Ramesh Singh Son of Dashrath Singh resident of Village- Naugarh, P.O.- Kharendra, P.S.- Bhagwanpur, District- Kaimur, at present In-charge Headmaster Primary School, Khadihan, Bhagwanpur, District- Kaimur.
12. Ravi Prakash Son of Kunwar Singh resident of Village- Saraiya, P.O.- Umapur, P.S.- Bhagwanpur, District- Kaimur, at present In-charge Headmaster, New Primary School, Babhni, Bhagwanpur, District- Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Bihar, Patna.
3. The Director, Mid- Day Meal Scheme, Bihar, Patna.



4. The District Education Officer, Kaimur, District- Kaimur at Bhabua.
5. The District Programme Officer, Establishment, Kaimur, District- Kaimur at Bhabua.
6. The District Programme Officer, Mid-day meal scheme, Kaimur, District- Kaimur at Bhabua.
7. The Block Education Officer, Bhagwanpur Block, District- Kaimur at Bhabua.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Dhananjay Kumar
For the Respondent/s	:	Mr.Smt.Shilpa Singh (Ga12)
For the M.D.M.	:	Mr. Girijesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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| 3 | 21-12-2023 | <ol style="list-style-type: none">1. Heard learned Counsel for the parties concerned.2. Learned Counsel for the State as well as learned Counsel appearing for the Mid Day Meal Scheme submit that the petitioners are the Head Masters/Incharge Headmasters of the respective schools in Bhagwanpur block, in the district of Kaimur, and have challenged the letter, contained in Memo No. 1843, dated 31.12.2018, issued by the District Programme Officer, Establishment, Kaimur, directing them to deposit/refund the excess amount received by them for providing mid-day meal.3. Learned Counsel for the Mid Day Meal submits that upon inspection, it was found that the number of children were less than the attendance made by the petitioners.4. Taking into consideration the nature of dispute, in my |
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opinion, it is appropriate for the Director, Mid Day Meal, to hear both the parties and pass a final order upon the letter of recovery issued by the District Programme Officer, Establishment, Kaimur.

5. Accordingly, I direct the Director, Mid Day Meal, to fix a date for appearance of the petitioners and the respondent nos. 5 and 6 before him, for giving them personal hearing and deciding the matter by a reasoned order.
6. The entire exercise must be completed by the Director within a period of six months from the date of receipt/production of a copy of this order.
7. With the aforesaid observation and direction, this writ application is disposed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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