

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19557 of 2016

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Ranveer Kumar Jha Son of Sri Radha Krishna Jha, resident of Village and P.O.- Rohua, P.S.- Roshra, District- Samastipur. at present posted as Incharge Headmaster of Primary School, Mahto Tole Bujurg-dwar, Block- Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Mid-day Meal Yojana, Bihar, Patna.
3. The District Magistrate, Samastipur.
4. The District Education Officer, Samastipur.
5. The District Program Officer of Mid-Day Meal Yojana, Samastipur.
6. The Block Education Officer, Block- Khanpur District- Samastipur.
7. The Block Development Officer, Block- Khanpur, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar Mr. Yugal Kishor
For the Respondent/s	:	Mr. Sunil Kumar Mandal, SC 3 Mr. Bipin Kumar, AC to SC 3
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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| 2 | 13-05-2024 | <ol style="list-style-type: none">1. Heard learned Counsel for the parties concerned.2. The petitioner, who is the In-charge Head Master of the Primary School, Mahto Tola, Khanpur block, in the district of Samastipur, has filed the present writ application challenging the Memo No. 2181, dated 22.10.2016, by which the District Education Officer, Samastipur, has reduced the penalty amount from ₹ 83,084/- to ₹ 41,542/-. The petitioner has also prayed for quashing Memo No. 1749, dated 01.08.2016, passed by |
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the District Programme Officer, Mid-day-Meal, Samastipur, directing him to deposit/refund the excess amount of ₹ 83,084/- received by him for providing mid-day meal.

3. Learned Counsel for the Mid Day Meal submits that upon inspection by the District Programme Officer, Mid-day Meal, Samastipur, it was found that the number of children were less than the attendance made by the petitioner.
4. Taking into consideration the nature of dispute, in my 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, Mid-day Meal, Samastipur.
5. Accordingly, I direct the Director, Mid Day Meal, to fix a date for appearance of the petitioner and the respondent nos. 4 and 5 before him, for giving them personal hearing and deciding the matter by a reasoned order.
6. Till the final order is passed by the Director, there shall be no recovery of the amount from the petitioner.
7. 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.

8. With the aforesaid observation and direction, this writ application is disposed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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