

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8729 of 2017

Dharmesh Kumar son of Late Gonar Roy, resident of Village- Kharahiya,
P.O.- Mangalgarh, P.S.- Hasanpur, District- Samastipur. Petitioner/s
Versus

1. The State Of Bihar
 2. The Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
 3. The Director, Human Resources Department, Govt. of Bihar, Patna.
 4. The District Magistrate, Samastipur.
 5. The District Education Officer-cum- Appellate Tribunal, Mid- Day Meal Scheme, Samastipur.
 6. District Programme Officer, Mid-day Meal Scheme, Samastipur.
 7. District Programme Manager, Mid-day Meal Scheme, Samastipur.
- Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ajit Kumar, Adv.
For the Respondent/s	:	Mr.Madanjit Kumar-GP-20
For MDM	:	Mr. Girijesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-06-2024 Heard learned counsel for the parties.

2. Learned counsel for the State as well as learned counsel appearing for the Mid Day Meal Scheme submit that the petitioner is a teacher of Middle School, Deodha, PS-Hasanpur in the district of Samastipur and has challenged the order dated 07.04.2017 passed by District Education Officer-cum-Appellate Authority in Case No. 44 of 2017 as well as the order dated 29.11.2016 passed by the District Programme Officer, Midday Meal Scheme, Samastipur directing the petitioner to deposit/refund the excess amount received by him for providing mid-day meal.

3. Learned counsel for the Mid Day Meal submits



that upon inspection made by the respondent authority, it was found that the number of children were found less than the attendance made by the petitioners.

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 orders of recovery issued by the District Programme Officer and District Education Officer-cum-Appellate Authority, Samastipur

5. Accordingly, I direct the Director, Mid Day Meal, to fix a date for appearance of the petitioners and the respondents no. 5 and 6 before him, for giving them personal hearing and deciding the matter by a reasoned order. Director, Mid Day Meal can hear the matter through virtual mode or hybrid mode subject to approval of the parties concerned.

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 of.

(Anil Kumar Sinha, J)

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