

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10504 of 2017

Md. Israil Ahmad Son of Md. Naimuddin Resident of Village - Damodarpur,
P.O. - Makarpur, P.S. - Prakhand - Makhdumpur, District - Jehanabad, at
present working as Prabhari Pradhanadhyapak in Middle School Nehalpur,
Belaganj, Dist - Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The Regional Deputy Director of Education, Magadh Division, Gaya.
5. The District Education Officer, Gaya.
6. The District Programme Officer Establishment, Gaya.
7. The District Programme Officer, Mid-Day-Meal Scheme, Gaya.
8. The Block Resource Persons, Mid-Day-Meal Belaganj, Prakhand, District - Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rama Kant Singh
For the Respondent/s	:	Mr.Prabhakar Jha-Gp27
For the MDM	:	Mr. Girijish Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 11 28-06-2024 1. Heard learned Counsel for the parties concerned.
2. The present writ application has been filed for quashing the letter no. 2635 dated 07.06.2017, passed by District Programme Officer, Gaya, directing the petitioner to deposit a sum of Rs. 11,079/- in the account of Bihar State Mid-day Meal Scheme, Gaya.
3. Learned Counsel for the Mid Day Meal scheme submits that in the present writ application, the petitioner is the



Incharge Headmaster of Middle School, Nehalpur, Belaganj, District-Gaya, who has challenged the impugned letter issued by the District Programme Officer, Mid-Day Meal Scheme, Gaya, directing him to deposit/refund the excess amount received by him providing Mid-Day-Meal.

4. Learned counsel further submits that upon inspection by the Block Resource Person, Mid-Day-Meal, Gaya, it was found that a number of children were less than the attendance made by the Headmaster of the School.
5. 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, Gaya.
6. Accordingly, I direct the Director, Mid Day Meal, to fix a date for appearance of the petitioner and the concerned respondents before him, for giving them personal hearing and deciding the matter by a reasoned order.
7. Till the final order is passed by the Director, there shall be no recovery of the amount from the petitioner.
8. 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.

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

(Anil Kumar Sinha, J)

HarshPandey/-

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