

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11558 of 2015

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Sukhani Devi W/o Sri Laxman Paswan resident of Village- Kazichak,
P.O.P.S.- Barh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Mid Day Meal Scheme, HRD, Government of Bihar, New Secretariat, Patna.
3. The District Programme Officer Establishment, O/o The District Education Officer, Government of Bihar
4. The District Education Officer, Government of Bihar, Patna.
5. The Sub-divisional Education Officer, Barh Sub-Division, Patna.
6. The Block Education Officer, Barh.
7. The Headmistress, Primary School, Kazichak Rural, Barh, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate
For the Respondent/s : Mr. N.K. Singh, GP 26

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 01-02-2024 1. Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Mid Day Meal
Scheme.

2. The petitioner has filed the instant application for the
following reliefs:

“1. That the Present writ petition is being filed by the petitioner for issuance of a writ/writs, order/ orders, direction/ directions in the nature of mandamus commanding the Respondents for payment of the dues amount relating to mid day meal for the period from January 2010 to 16.03.2011 to the petitioner worked as a cook in the mid day meal under Government mid day meal scheme in the Primary School, Kazichak (Rural), Barh in the light of order



Memo No.8379 dated 13.08.2013 issued by the District Programme Officer (Establishment), Patna and further be pleased to direct the Respondents to pay the interest accrued on the dues amount till the date of payment.”

3. Bereft of unnecessary details, it may be stated that a counter affidavit has been filed on behalf of the respondents sworn by the District Programme Officer (Mid Day Meal Scheme), Patna, paragraph no.6 of which is reproduced hereinbelow.

“6. That a office order contained in Memo No.8379 dated 13.08.2013 issued by the District Programme Officer (Establishment) Patna by which it has been directed to D.D.O. (AMS) Barh to pay the dues amount of Honorarium of petitioner from the salary of Simt. Sumitra Devi, Head Mistress, Primary School, Kazichak (Rural), Barh.

A true photo copy of the letter dated 13.08.2013 is being annexed herewith and marked as Annexure- R-3/1 of this Counter Affidavit.”

4. In addition to the above, learned counsel for the respondents-State submits that the amount could not be paid only for the reason that the account number was not furnished by the petitioner. This stand is seriously contested by learned counsel for the petitioner.

5. In view of the above, this writ petition is disposed of with a direction to the District Education Officer, Patna



(respondent no.4) to pay the dues amount of honorarium to the petitioner within a period of three months from the date of receipt/production of a copy of this order.

6. This writ application stands disposed of.

(Partha Sarthy, J)

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