

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9907 of 2017

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Dileep Ram Son of Shri Chandrika Ram Resident of At P.O. P.S. Prakhand - Belaganj, District - Gaya, at present working as Prabhari Pradhanadhyapak in Primary School Beladih S.C., Belaganj, Dist - Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar
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 Barachatti Prakhand, District - Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rama Kant Singh, Adv.
For the Respondent/s	:	Mr. Madhaw Pd. Yadav-GP23
For Mid-Day-Meal	:	Mr. Girjesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 27-06-2024 Heard the parties.

2. The present petition has been filed for quashing the letter No. 492 dated 03.06.2017 passed by the Respondent No.7/the District Programme Officer, Mid-Day-Meal Scheme, Gaya whereby petitioner has been directed to deposit an amount of Rs. 23966/-, allegedly, defalcated by him.

3. Learned counsel appearing for the Mid Day Meal Scheme submits that in the present writ application the petitioner is the Incharge Headmaster of Primary School, Beldih



(S.C.), 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 for 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 the 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 Scheme, Bihar, Patna to hear both the parties and pass a final order upon the letter of recovery issued by the District Programme Officer, Mid Day Meal Scheme, Gaya.

6. Accordingly, I direct the respondent no. 3 / The Director, Primary Education, Govt. of Bihar, Patna to fix a date for appearance of the petitioner as well as the District Programme Officer, Gaya/District Education Officer, Gaya 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, Primary Education, Govt. of Bihar, Patna, there shall be no recovery of the amount from the petitioner.



8. The entire exercise must be completed by the Director, Primary Education, Govt. of Bihar, Patna 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 of.

(Anil Kumar Sinha, J)

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