

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11519 of 2016

Yogendra Singh Son of Late Rameshwar Singh Resident of village -
Goshrawan, P.S. Giriyak, District – Nalanda

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Secretary, Education Department, Govt. of Bihar, Patna
3. The District Education officer, Nalanda
4. The District Programme officer, Establishment , Nalanda
5. The District Programme officer, Sarva Shiksha Abhiyan as well as Primary Education, Nalanda
6. The Block Education Officer, Chandi District Nalanda
7. Mr. Mukesh Kumar, the then Senior Most Teacher of Middle School Gonpura, Anchal Chandi, District -

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar
For the Respondent/s : Mr. Anil Kumar, GP-23

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 5 18-07-2024 **1.** The petitioner has filed the present writ application challenging the letter no. 1389, dated 01.09.2015, issued under the signature of respondent no. 5, whereby the petitioner has been directed to refund/deposit a sum of Rs. 63,340/- (Rs. 8,700 of royalty and Rs. 54,640/- of sales tax). The petitioner had constructed four extra classrooms as Headmaster of the Madhyamik Vidyalaya Gonkura, Chandi, Nalanda.
- 2.** Learned counsel for the petitioner submits that the



petitioner is not liable to pay royalty and sales tax for the construction work and it is to be paid by the authorities concerned, if it at all has to be paid.

3. The petitioner has filed a representation in this regard before the respondent no. 5 (District Programme Officer, Sarva Shiksha Abhiyan, Nalanda) vide Annexure-3 to the writ application, but the same is still pending and has not been decided.
4. Learned counsel for the Sarva Shiksha Abhiyan, Bihar Education Project Council as well as the State submits that the respondent no. 5 may be directed to dispose the representation of the petitioner in accordance with law by a speaking order within a stipulated time frame.
5. Having heard learned counsel for the parties and regards being had to the nature of prayer made in the writ application, the same is disposed with a direction to the respondent no. 5 to dispose the representation of the petitioner annexed at Annexure-3 in accordance with law with speaking and reasoned order after giving opportunity of hearing to the petitioner. The order shall be passed within a period of three months from the date of receipt/production of the copy of this order.



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

(Anil Kumar Sinha, J)

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