

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16026 of 2019

Shivrati Devi @ Ramrati Devi Wife of Sri Ramjeet Ray, Resident of Saidpur Kothiya, at Present Kurji Bujurg Digha, P.O. Sadakat Ashram, P.S. Digha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. Director (Administration)-Cum-Additional Secretary, Education Department, Bihar, Patna.
3. Director, Mid- Day Meal Scheme, Bihar, Patna.
4. Regional Deputy Director of Education, Patna Division, Patna.
5. District Magistrate, Patna.
6. District Education Officer, Patna.
7. District Programme Officer(Establishment), Patna.
8. District Programme Officer, Mid- Day Meal Scheme, Patna.
9. Block Education Officer, Bihta/ Fulwarisharif/Barh, District- Patna.
10. Headmaster , Utkramit Middle School, Dhanawan, Barh, District- Patna.
11. Headmaster, Utkramit Middle School, Hinduni(West), Phulwarisharif, District- Patna.
12. Rameshwar Paswan, the then Headmaster of Utkramit Middle School, Utkramit Middle School, Hinduni, Fulwarisharif, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vibhakar Kumar, Advocate
For the Respondent/s	:	Mr. Priyadarshi Matri Sharan, AC to AAG-15
For M.D.M.	:	Mr. Girijish Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE NANI TAGIA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 13-09-2024

The petitioner in the above case is concerned with the defalcation committed by the 12th respondent from the Mid Day Meal scheme of the school in which he was the Headmaster.

2. Admittedly, the State had taken proceedings and by



order dated 12.06.2017, which is produced along with the writ petition itself at page 37, 12th respondent has been imposed with the punishment of withholding of three increments with cumulative effect and he has also been directed to refund the defalcated amount and for the suspension period, the 12th respondent was found to be entitled only to the subsistence allowance.

3. The prayer in the writ petition is that the quantum of punishment is disproportionate to the offence found. No lenient view should have been taken, is the contention.

4. We are not impressed with the contention taken, specially, since the State has taken proceedings and imposed the punishment in which we are not sitting in appeal.

4. We find absolutely no reason to keep the writ petition pending and reject the same.

(K. Vinod Chandran, CJ)

(Nani Tagia, J)

Amrendra/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	13/09/2024
Transmission Date	N/A

