

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17946 of 2019

Vijay Shankar Choubey Son of Late Kanta Choubey Resident of village Naranga, P.S. Khukhundu, District Deoria (Uttar Pradesh), at present working as Head Master, government Basic School, Bankata, Prakhand Bhorey, District Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secretary Department of Education, Government of Bihar, Patna.
3. The Bihar State Mid day Meal Scheme Samiti Bihar Patna through its Chairman cum the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
4. The Chairman Bihar State Mid Day Meal Schemes Samiti, Bihar Patna cum the Additional Chief Secretary, Department of Education, Bihar, Patna.
5. The Director Mid Day Meal Scheme, Bihar Patna.
6. The Zila Padadhikari Gopalganj, District Gopalganj.
7. The District Education Officer Gopalganj, District Gopalganj.
8. The District Programme Officer (Establishment)j Gopalganj, District Gopalganj.
9. The District Programme Officer Mid Day Meal Scheme Gopalganj, District Gopalganj.
10. The Prakhand Education Officer Bhorey, District Gopalganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Suresh Prasad Bhakta
For the State	:	Ms. Binita Singh (SC 28)
For the M.D.M.	:	Mr. Girijesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 08-01-2024 1. Heard learned Counsel for the parties concerned.
2. Learned Counsel for the State as well as learned Counsel appearing for the Mid Day Meal Scheme submit that the petitioner is the Head Master of the Government Basic School, Bankata, Jagirdari, Bhorey block, in the district of



Gopalganj, and has challenged the letter no. 662, dated 28.06.2017, issued by the District Programme Officer, Mid-day-Meal, Gopalganj, directing him to deposit/refund the excess amount received by him for providing mid-day meal.

3. Learned Counsel for the Mid Day Meal submits that upon inspection by the District District Programme Officer, Mid-day Meal, Gopalganj, it was found that the number of children were less than the attendance made by the petitioner.
4. 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, Gopalganj.
5. Accordingly, I direct the Director, Mid Day Meal, to fix a date for appearance of the petitioner and the respondent no. 9 before him, for giving them personal hearing and deciding the matter by a reasoned order.
6. 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.



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

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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