

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19955 of 2016

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Mahanand Kumar Singh Son of Late Bhadai Singh, Resident of Village-
Khairadih, PO- Sonmanaki, PS- Morkahi, District- Khagaria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Khagaria.
5. The District Education Officer, Khagaria.
6. The Block Development Officer, Alauli Block, Khagaria.
7. The District Programme Officer MDM, Khagaria.
8. The Director, M.D.M. Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ram Sumiran Rai
For the State	:	Mr. Ram Balak Mahto-Ag
For MDM	:	Mr. Girjesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

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| 4 | 08-08-2024 | <ol style="list-style-type: none">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 Incharge Head Master of the Primary School Jhima, Alauli Block, in the District of Khagaria and has challenged the Memo no. 1469, dated 17.10.2016, by which the District Education Officer -cum- Appellate Authority, Mid Day Meal, Khagaria has |
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affirmed the order contained in Memo No. 531, dated 06.05.2016 passed by the District Programme Officer, Mid Day Meal, Khagaria, whereby the District Programme Officer, Mid-day-Meal, Khagaria, 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 Programme Officer, Mid-day Meal, Khagaria, 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, Khagaria.
5. Accordingly, I direct the Director, Mid Day Meal, to fix a date for appearance of the petitioner and the respondent no. 7 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.)

R.R Sinha/-

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