

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14725 of 2024

Vikash Kumar Son of Shambhu Nath Bhagat, Resident of Village-Sangrampur, P.S.-Sangrampur, Dist-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar, Patna.
2. The Addl. Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, P.M. Poshan Scheme -cum- Secretary State P.M. Poshan Scheme Committee, Govt. of Bihar, Patna.
4. The District Magistrate -cum- Chairman, P.M. Poshan Scheme Committee, Munger.
5. The District Education Officer -cum- Member Secretary District Level Committee, P.M. Poshan Scheme, Munger.
6. The District Program Officer -cum- Member Secretary District Level Committee, P.M. Poshan Scheme, Munger.
7. District Minority Welfare Officer nominated member District Level Committee, P.M. Poshan Scheme, Munger.
8. The District Program Officer -cum- Member Establishment Education Department, P.M. Poshan Scheme, Munger.
9. The Block Education Officer, Tarapur Block, District-Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate

Mr. Ranjeet Patel, Advocate

For the State : Mr. Shankar Kr. Thakur, AC to GP-27

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-09-2024 Heard Mr. Shivendra Kumar Sinha, along with Mr. Ranjeet Patel learned counsels appearing on behalf of the petitioner and Mr. Shankar Kr. Thakur, learned AC to GP-27 appearing on behalf of the State.

2. The petitioner in paragraph no. 1 of the present writ



petition has sought inter alia the following relief(s), which is reproduced hereinafter:-

“I. To quash the letter no. 404 dated the 22.05.2023 issued by District Program officer, P.M. Poshan Scheme, Munger whereby petitioner has been discharged from Block Sadhan Sevi, P.M Poshan Scheme within Tarapur Block, Munger.

II. To further quash the order passed in Sitting no. 26 held by District level committee, P.M. Poshan Scheme, Munger whereby in his Sitting no. 26 dated 19.05.2023 decision he took the decision to Discharge this petitioner from Block Sadhan Sevi P.M. Poshan scheme, Tarapur, Munger.

III. Further this petitioner pray to issue a mandamus to respondent a no.3 to decide his appeal dated 9/6/2023.

IV. Further issue appropriate writ/writs, Order/Orders, direction/ directions to the concerned respondents in the interest of justice.”

3. Learned counsel appearing on behalf of the petitioner informs that for the relief(s) as prayed for in the present writ petition, the petitioner has already filed appeal before the Director, P.M. Poshan Scheme-cum-Secretary State, P.M. Poshan Scheme Committee, Government of Bihar (Respondent no.3) on 09.06.2023 and the same is pending since then.

4. Considering the aforesaid submission, I find that the Director, P.M. Poshan Scheme-cum-Secretary State, P.M. Poshan scheme Committee, Govt. of Bihar, Patna must not restrain himself from exercising his jurisdiction to decide the appeal of the petitioner pending before him for a long period of time, expeditiously.

5. In case of delay in any manner, the petitioner



may take action against the Director, P.M. Poshan Scheme-cum-Secretary State, P.M. Poshan scheme Committee, Govt. of Bihar, Patna, in accordance with law.

6. With the aforesaid direction/observation, the present writ petition stands disposed of.

(Purnendu Singh, J.)

Sanjay/-
Ashishsingh/-

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