

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7555 of 2017

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1. Kedar Paswan and Ors S/o Late Gonaur Paswan, R/o Village- Rohua Rajaram, P.S.- Mushahari District Muzaffarpur presently working as Teacher at Elevated Govt. Middle School Markan Block- Muraul District- Muzaffarpur.
 2. Usha Kumari, W/o Sri Gulab Prasad Singh, R/o Village and P.O.- Itaha Via TCA Dholi, P.S. Sakara, District Muzaffarpur Presently Working Teacher at Govt. Elevated Middle School Malpur Agrail Block- Muraul District- Muzaffarpur.
 3. Naveen Kumari, D/o Late Pashupati Jha, W/o Sri Sharda Nand Jha, R/o Village- Bishunpur Shri Ram P.O.- Titara Ashanand, P.S. Sakara, District- Muzaffarpur presently working as Teacher at Govt. Primary School, Dardha Chausej Block- Muraul District- Muzaffarpur.
 4. Anil Ram, S/o Late Yogendra Ram, R/o Village- Bishun Shriram Titara Ashanand, P.S. Sakara, District- Muzaffarpur Presently working as Teacher at Govt. Primary School Khashpatti, Yadunathpur, S.C. Block Muraul, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Primary Education Department of Human Resource Development, Bihar, Patna.
3. The Collector, Muzaffarpur.
4. The District Education Officer, Muzaffarpur.
5. Bihar State Midday Meal Planning Committee, Muzaffarpur through the District Programme Officer, Mid
6. The District Programme Officer, Midday Meal Scheme, Muzaffarpur.
7. The District Programme Officer, Establishment, Muzaffarpur.
8. The Block Education Officer, Muraul, Muzaffarpur.
9. The Block Sadhan Sevi, Midday Meal Scheme, Block- Muraul, Muzaffarpur.
10. The Director, Midday Meal Scheme, Deptt of Human Resource Development, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Manoj, Adv.
For the Respondent/s	:	Mr. S.S. Tiwary, AC to AAG15
For MDM	:	Mr. Girijesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 24-06-2024

Heard learned counsel for the parties.



2. Learned counsel for the State as well as learned counsel appearing for the Mid Day Meal Scheme submit that the petitioners are the teachers of the Middle and Primary Schools, in the district of Muzaffarpur and have challenged the letter dated 02.12.2016 (Annexure-P1 & P1/1) issued by the District Programme Officer, Midday Meal Scheme, Muzaffarpur, letter dated 23.01.2017 (Annexure-P8) issued by District Education Officer, Muzaffarpur and letter dated 28.01.2017 (Annexure-P9) issued by the Block Sadhan Sevi, Mid Day Meal Scheme, Muzaffarpur directing the petitioners to deposit/refund the excess amount received by them for providing mid-day meal.

3. Learned counsel for the Mid Day Meal submits that upon inspection made by the Block Sadhan Sevi, Mid Day Meal Scheme, Muzaffarpur, it was found that the number of children were found less than the attendance made by the petitioners.

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 letters of recovery issued by the District Programme Officer and Block Sadhan Sevi, Midday Meal Scheme, Muzaffarpur.

5. Accordingly, I direct the Director, Mid Day Meal,



to fix a date for appearance of the petitioners and the respondents no. 4, 6 and 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)

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