

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9926 of 2017

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Sri Niwas Nayan Son of Sahadeo Prasad Bhagat, Resident of Village-
Baradih, P.S. Prakhand- Barachatti, District- Gaya at present working as
Prabhari Pradhanadhyapak in Middle School Baradih Harijan Tola,
Barachatti, District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar,
Patna.
3. The Director, Primary Education, Govt. of Bihar, Patna.
4. The Regional Deputy Director of Education, Magadh Division, Gaya.
5. The District Education Officer, Gaya.
6. The District Programme Officer Establishment, Gaya.
7. The District Programme Officer, Mid- Day Meal Scheme, Gaya.
8. The Block Resource Persons, Mid- Day- Meal Barachatti Prakhand, District-
Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rama Kant Singh, Adv
For the State	:	Mr. Apurva Kumar, AC to GA12
For M-D-M	:	Mr. Girjish Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

7 16-12-2025 Heard the parties.

2. In the present writ application, the petitioner has
prayed for the grant of following reliefs:

*(i) For issuance of appropriate
writ(s), direction(s) for quashing of the letter
No. 472 dated 31.05.2017 passed and issued
by the Respondent No.-7 Mid-day-Meal
Scheme, whereby and where under against
the petitioner charge of defalcation*



amounting Rs. 19955/- has been levelled arising out of Mid-Day-Meal Scheme in his school and accordingly he has been directed to deposit the said alleged amount of defalcation in the Bank Account of Bihar State Mid-Day-Meal Scheme, Gaya within one week otherwise he has been threatened to face departmental proceeding for it.

(ii) Further the respondent be directed not to recovered the aforesaid amount from the petitioner because the said charge of defalcation against the petitioners is completely against and contradictory of physical inspection/verification report.”

3. All the parties are at one in submitting that a similar matter has already been decided by a co-ordinate Bench of this Court vide order dated 25.06.2024 passed in CWJC No. 9254 of 2017. The parties, therefore, pray that this writ application may be disposed of in terms of the order dated 25.06.2024 passed in CWJC No. 9254 of 2017.

4. In view of the aforesaid submissions made by the parties, this writ application is disposed of in terms of the order dated 25.06.2024 passed in CWJC No. 9254 of 2017. The Director, Mid-Day-Meal is directed to hear both the parties and pass a final order. The Director, Mid-Day-Meal shall fix a date



for appearance of the petitioner and the respondents before him, for giving them personal hearing and deciding the matter by a reasoned order. The Director, Mid-Day-Meal can hear the matter through virtual mode or hybrid mode subject to approval of the parties concerned. 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.

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

(Alok Kumar Sinha, J)

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