

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15423 of 2021

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Bimla Nayak, Wife of Sri Baidyanath Malik, Resident of Village - Bahera,
P.S. - Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The District Magistrate, Darbhanga.
5. The District Education Officer, Darbhanga.
6. The District Programme Officer (Establishment) Darbhanga.
7. The District Programme Officer (Primary Education and Sarb Siksha Abhiyan, Bihar Education Project) Darbhanga.
8. Sri Uttam Prasad the then Block Education Officer, Benipur, District - Darbhanga.
9. The Treasury Officer, Benipur, District- Darbhanga.
10. The Block Education Officer, Benipur, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra Jha 3, Advocate
For the Respondent/s : Mr. Prabhakar Jha (GP-27)

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 07-08-2025 Heard Mr. Satish Chandra Jha 3, learned counsel

 appearing on behalf of the petitioner and Mr. Prabhakar Jha,

 learned GP-27 for the respondent/s.

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

petition has sought *inter alia* following relief(s), which is

reproduced hereinafter:

*"I. To quash the letter no. 64 dated 10.01.2020
issued by Respondent no. 7 whereby and where under*



petitioner has been directed to ensure deposit of Rs 1, 79,085.00 in the Punjab National Bank in the Bank account of Bihar Siksha Pariyojna, Darbhanga bearing its Account no. 2407000100470733, however said amount has arbitrarily been recovered from the pensionary benefit of the petitioner Respondent no 9 which is wholly illegal and law does not permit such action.

II. To direct the respondents to refund the said amount i.e. Rs 1,79,085.00 to the petitioner, because in construction of School building etc, she had spend more than Seventeen Lacs (17,00,000/-) that too, the building materials etc purchased by the petitioner, which was lying in the school campus and room has forcibly been looted by the goons of Bhagwaniya Devi and said materials amounting to approx 5 Lacs has been utilized by her in construction of boundary and room over school land for which F.I.R. has already been lodged against said Bhagwaniya Devi and others.

III. To direct the respondents to access the loss caused by the petitioner at the instance of Bhagwaniya Devi and others with the connivance of Block Education Officer, Benipur, Darbhanga and after proper enquiry compensate the petitioner.

IV. The Hon'ble Court may be pleased to grant any other relief or reliefs to the petitioner as he thinks it proper in the present facts and circumstances of this case."

3. Learned counsel appearing on behalf of the petitioner informs that for the relief(s) as prayed for in the present writ petition, petitioner has already filed a detail representation before the District Programme Officer (Establishment), Darbhanga on 17.07.2020, which is pending for consideration of the said authority till date.

4. Considering the nature of relief sought for in the present writ petition, as well as, the grievance of the petitioner, the District Programme Officer (Establishment), Darbhanga, is directed to consider the case of the petitioner and dispose of the



representation expeditiously, in accordance with law.

5. In case, he finds that the action taken by him to recover a sum of Rs. 1,79,085/- from the pensionary benefit of the petitioner is in accordance with law, he is directed to pass a reasoned order after giving due opportunity of hearing to the petitioner.

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

(Purnendu Singh, J)

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