

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15118 of 2025

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Awadhesh Kumar Son of Sri Rameshwar Singh, Resident of Village-Buknapur, P.S.-Daudnagar, District-Aurangabad, President Haspura Block, Shikash Sangarsh Morcha, Block-Haspura, having its office House of Raushan Kumar Mohalla-Adarsh Nagar, P.S.-Haspura, Aurangabad, Pin-824120.

... .. Petitioner/s

Versus

1. The State of Bihar through the Addl. Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director cum Secretary, Bihar Rajya Madhyan Bhojan Yojna Samiti, Bihar State Text Book Publishing Corporation, Budh Marg, Patna, PIN-800001.
3. The District Education Officer, Aurangabad.
4. The District Programme Officer, Mid Day Meal, Aurangabad.
5. The Block Education Extension Officer cum Incharge of PM POSHAN (Nutrition) Scheme, Haspura, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Rakesh Kumar Sharma, Advocate
For the Respondent/s	:	Mr. Standing Counsel (6)
For MDM	:	Mr. Girjish Kumar, Advocate Mr. Akash Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 15-09-2025

Heard the parties.

2. The writ petitioner claims to be the President of Haspura Block, Shikshak Sangharsh Morcha, District-Aurangabad has approached this Court on being aggrieved with Memo No. 29 dated 30.04.2025 issued under the signature of



Additional Chief Secretary, Education Department whereby a policy has been formulated launching a Pilot Project in the Block of ten Districts for Managing and supervising the Mid-day Meal Scheme by a teacher other than a Headmaster, though it has been made clear that continuance of the Scheme depends upon the outcome of implementation of the Scheme for one month.

3. It is the submission of the learned Senior Advocate, Mr. Rama Kant Sharma, that the implementation of the scheme is without analyzing the outcome/effect of transfer of supervision of Mid-day Meal to an Assistant Teacher of the School; and without assessing the negative effect of overall administrative Control and the educational atmosphere of School, leading to anomalous situation.

4. It is the specific contention of learned Senior Advocate that under the policy decision, one of the Assistant Teacher has been made Incharge Teacher, who jointly operate the account of Mid-day Meal with the Secretary of School Education and supervised and managed the Mid-day Meal Scheme, which would certainly hamper the educational environment and lowering the image of the Headmaster at school. Various other submissions have been made in the writ



petition, while questioning the justification of Memo No. 29 dated 30.04.2025. However, it is further submitted that the Bihar Rajya Prathamik Shikshak Sangh (Gopgut) has also approached before the Additional Chief Secretary, Education Department by filing a detailed representation showing the adverse effect of the policy decision, but till date no decision has been taken.

5. Learned Advocate for the State refuting the contention of the petitioner submitted that it is the policy decision of the State, which has been taken after proper deliberation and discussion, on a trial basis only for a month.

6. Having considered the submissions set forth by the learned Advocate for the respective parties, the present writ petition stands disposed of with a liberty to the petitioner to approach the Additional Chief Secretary, Education Department by filing a detailed representation bringing on record all the alleged adverse aspects and suggestions, as has been stated in the writ petition, preferably within a period of four weeks from today.

7. In case, such representation is filed by the petitioner, the same shall be considered and disposed of in accordance with law preferably within a further period of eight weeks.



8. The writ petition stands disposed of.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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