

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 18127 of 2017

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Kumari Pammi Chaudhary D/o Ram Lochan Chaudhary, resident of Village-
Sultanpur, P.S. Kusheshwer Asthan, District Darbhanga.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Education, Patna
2. The Director, Directorate of Mid Day Meal, Bihar, Patna.
3. The Collector, Darbhanga.
4. The Sub- Divisional Officer, Biraul, District- Darbhanga.
5. The District Education Officer cum Appellate Authority, MDM, Darbhanga.
6. The District Program Manager, Mid Day Meal, Darbhanga.
7. The Block Education Officer, Kusheshwer Asthan, District Darbhanga.
8. The Block Education Officer, Biraul, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Amarendra Narayan, Advocate
For the M D M	:	M/s Girijesh Kr, Akash Anand, Advocates
For the S t a t e	:	Mr Madanjeet Kumar, GP XX

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CORAM: HONOURABLE MR JUSTICE ALOK KUMAR SINHA

ORAL ORDER

5 02-12-2025

Heard the parties.

2 The petitioner, in the present writ application,

prays for the grant of the following reliefs:

***“(i) Quashing letter No 1135
dated 26.10.2016 issued by the District
Programme Manager MDM,
Darbhanga directing the petitioner to
deposit Rs 72,484/- through Bank Draft
in the name of Bihar State Madhyan
Bhojan Samiti Yojna Bihar, Darbhanga
within 3 days; and office order dated
16.11.2017 passed by the District
Education Officer, Darbhanga
contained in Memo No 1838 affirming***



above order in Case No 01/17 and directing the petitioner to deposit draft of Rs 72,484/- in the name of District Mid Day Yojna Samiti within a week.

(ii) Quashing letter No 919 dated 31.05.2017 issued by the District Programme Manager MDM Darbhanga directing the petitioner to deposit Rs 25,945.92 through Bank Draft in the name of Bihar State Madhyan Bhojan Samiti Yojna Bihar, Darbhanga within a week; and office order dated 16.11.2017 in Case No 02/17 passed by the District Education Officer Darbhanga contained in Memo No 1839 affirming the above order dated 31.05.2017 and directing the petitioner to deposit draft of Rs 25,945.92 in the name of District Mid Day Yojna Samiti within a week.

(iii) For a direction to the respondents to arrange private agency for providing Mid-day meal project in the school instead of engaging teachers, so that teachers could impart students properly.

(iv) For an order granting stay of operations of impugned orders (Annexures 1 to 4) and restraining respondents from taking any coercive measures against the petitioner in the name of non-compliance of the impugned orders.”

3 All the parties are at one in submitting that the issue involved in the present writ application is no longer res integra as it has already been decided vide order order dated 03.09.2024 passed in CWJC No 1776 of 2017 and other



analogous matters. The issue involved as well as the facts are similar and, hence, prayer is made for disposing of the present writ application in terms of the order dated 03.09.2024 passed in CWJC No 1776 of 2017 and analogous matters.

4 As per the submission made by the parties, the present writ application is disposed of in terms of the order dated 03.09.2024 passed in CWJC No 1776 of 2017 and analogous matters.

5 The Director, Mid Day Meal Scheme is directed to hear the parties and pass a fresh order upon the letter of recovery issued by the District Programme Officer, Mid Day Meal Scheme. The Director, Mid Day Meal Scheme is further directed to fix a date for appearance of the petitioner and the concerned respondents before him for giving them personal hearing and decide the matter by a reasoned order. The Director, Mid Day Meal Scheme, Government of Bihar, Patna is given liberty to allow the appearance of any of the parties through virtual mode if the party is not in a position to appear physically.

6 Till final order is passed by the Director, Mid Day Meal Scheme, Bihar, Patna, there shall be no recovery of the amount from the petitioner, if not already recovered.



7 The entire exercise must be completed by the Director, Mid Day Meal Scheme, Bihar, Patna within a period of six weeks from the date of receipt/production of a copy of this order.

(Alok Kumar Sinha, J)

M.E.H./-

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