

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18273 of 2025

Om Prakash Singh Son of Mahavir Singh, resident of Village- Masaha, Ward No.1, P.S.- Parihar, District- Sitamarhi.

... .. Petitioner

Versus

1. The State of Bihar through Additional Chief Secretary, Education Department, New Secretariat, Patna.
2. Director, Mid-day Meal Scheme, New Secretariat, Patna.
3. District Education Officer, East Champaran, Motihari.
4. District Programme Officer, P.M. Poshan Scheme, East Champaran, Motihari.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Pratap Sharma, Advocate
For the Respondent/s	:	Mr. Standing Counsel (23)
	:	Mr. Madhusudan Rai, AC to SC-24
For MDM	:	Mr. Girijish Kumar, Advocate
	:	Mr. Akash Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 17-11-2025 Heard learned counsel for the petitioner, learned counsel for the Respondent-State and learned counsel for the Mid Day Meal Scheme.

2. That the petitioner is working as In-charge, Headmaster, Upper Middle School, Vijayjee, Urdu Ghorasahan, East Champaran. The Respondent inspected the School on 31.07.2025 and found irregularities in the Mid-Day Meal Scheme. Show-cause notice *vide* Letter No. 979 dated 31.07.2025 was issued to the petitioner. The petitioner replied to



the said show-cause notice on 07.08.2025 denying the allegations leveled in the show-cause notice.

3. After considering the reply of the petitioner, a punishment order was passed for recovery of Rs. 1,45,031/- *vide* order dated 11.08.2025 (Annexure-P/4). Being aggrieved with the said order, the petitioner in paragraph-8 of the writ application admits that the petitioner has filed an Appeal before the Regional Deputy Director of Education, Muzaffarpur which as per the petitioner still continues to be pending.

4. The petitioner further submits that in the pending Appeal, a stay order *vide* order dated 02.09.2025 (Annexure-P/5) was passed in favour of the petitioner which has been vacated by order dated 25.09.2025 passed by the Director, Mid-Day Meal Scheme. The petitioner in the present writ application has, therefore, challenged the order dated 11.08.2025 (Annexure-P/4) by which order for recovery has been passed and the order dated 06.10.2025 by which the order dated 25.09.2025 was communicated to the petitioner by which the stay granted has been vacated.

5. Learned counsel for the petitioner submits that he would be satisfied if this Court could direct the Appellate Authority i.e., Regional Deputy Director of Education,



Muzaffarpur to dispose of the pending appeal within a fixed time frame after giving proper opportunity of hearing to the petitioner, by passing a reasoned and speaking order. He further prays that till such time, the appeal is finally decided by the Regional Deputy Director of Education, Muzaffarpur, no coercive steps should be taken against the petitioner for recovery of the amount which has been ordered to be recovered *vide* order dated 11.08.2025 (Annexure-P/4).

6. Learned counsel appearing for the Mid Day Meal Scheme and Respondent-State do not have any objection, if an order is passed by this Court directing the Appellate Authority to dispose of the pending appeal of the petitioner within a fixed time frame.

7. Considering the limited nature of prayer being made by learned counsel for the petitioner, this writ application is disposed of directing the Regional Deputy Director of Education, Muzaffarpur to dispose of the pending appeal of the petitioner within a period of six months from the date of production of a copy of this order, after giving proper opportunity of hearing to the petitioner and other concerned parties. Needless to emphasize that the final order which shall be passed by the Appellate Authority should be a reasoned and



speaking order. It is further directed that so long as the Appeal is not finally decided by the Appellate Authority i.e., Regional Deputy Director of Education, Muzaffarpur, no coercive steps shall be taken against the petitioner for recovery of the amount in question.

8. With the aforesaid observation and directions, the present writ application is disposed of. All pending Interlocutory Applications, if any will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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