

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2891 of 2020

1. Jai Kishore Singh Son of Late Gauri Shankar Singh Resident of Village- Dharmapura, Post Office- Dharmapura, Police Station- Daudpur, District- Saran, presently posted as In- charge Headmaster in Upgraded Middle School, Mirzapur, Block- Sonpur, District- Saran.
2. Rajeshwar Choudhary Son of Rajendra Chaudhary Resident of Pahalwan Nagar, Post Office and Police Station- Sonpur, District- Saran, presently posted as In-charge Headmaster in Middle School, Sabalpur (West), Block- Sonpur, District- Saran.
3. Rubi Kumari Wife of Nagendra Kumar Sharma Resident of Village- Sabalpur Babhan Tolli, Post Office and Police Station- Sonpur, District- Saran, presently posted as In-charge Headmaster in Primary School, Mahuwa Bagh, Batrauli, Sonpur, Block- Sonpur, District- Saran.
4. Shila Kumari Wife of Sunil Kumar Resident of Village- Sabalpur Harizan Tolli, Post Office and Police Station- Sonpur, District- Saran, presently posted as In-charge Headmaster in Primary School, Sabalpur Chac Tola, Sonpur, Block- Sonpur, District- Saran.
5. Sangita Singh Wife of Ashok Kumar Singh Resident of Village- Chiknauta (Samta Colony), Post Office- Chiknauta, Police Station- Hajipur, District- Vaishali, presently posted as In-charge Headmaster in Upgraded Middle School, Harijan Tolla, Jaitiya, Sonpur, Block- Sonpur, District- Saran.
6. Ashok Kumar Son of Shyama Prasad Resident of Village- Dudhaila, Post Office and Police Station- Sonpur, District- Saran, presently posted as In-charge Headmaster in Primary School, Naya Prawejabad Sonpur, Block- Sonpur, District- Saran.
7. Gajendra Kumar Singh Son of Baidyanath Singh Resident of Village- Dumri Buzurg, Post Office- Dumri, Police Station- Nayagaon, District- Saran, presently posted as In- charge Headmaster in Upgraded Middle School, Dumari, Sonpur, Block- Sonpur, District- Saran.
8. Jai Prakash Narayan Son of Hari Nandan Prasad Sinha Resident of Bagmali, Ward No. 7, Hajipur, District- Vaishali, presently retired from service from the post of Assistant Teacher from Middle School, Govind Chak, Sonpur, Block- Sonpur, District- Saran.
9. Sharavan Kumar Singh Son of Rajeshwar Prasad Singh Resident of Hajipur Budha Colony, Adalbari, Hajipur, District- Vaishali, presently posted as In-charge Headmaster in Upgraded Middle School, Semra, Sonpur, Block- Sonpur, District- Saran.
10. Chandra Bhushan Prasad Son of Karm Nath Sah Resident of Village- Hasanpur, Post Office- Rasulpur, Police Station- Nayagaon, District- Saran, presently posted as In-charge Headmaster in Upgraded Middle School, Rasulpur, Sonpur, Block- Sonpur, District- Saran.
11. Pankaj Kumar Son of Baijanath Singh Resident of Village- Ismaila, Post Office- Govind Chak, Police Station- Sonpur, District- Saran, presently posted as In-charge Headmaster in Primary School, Anusuchit Tolla, Govind Chak, Sonpur, Block- Sonpur, District- Saran.



12. Raghvendra Tripathi Son of Brahamdev Tripathi Resident of Adarsh Colony, Road No. 1, Jaganpura, Patna, presently retired from the post of Assistant Teacher from Upgraded Middle School, Jahangirpur, Sonpur, Block- Sonpur, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Mid day Meal Programme, Department of Education, Government of Bihar, Patna.
3. The District Education Officer, Saran, Chapra.
4. The District Programme Officer (Mid day Meal Programme), Saran, Chapra.
5. The District Programme Officer (Establishment), Saran, Chapra.
6. The Block Education Officer, Sonpur Block, Saran, Chapra.
7. The Drawing and Disbursing Officer, Adarsh Keshav Kanya Middle School, Sonpur, Saran, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Satish Narain Singh, Adv.
For the Respondent/s	:	Mr.Jitendra Kumar Roy1 (SC13)
For Mid Day Meal	:	Mr. Girijesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

6 18-02-2026 Heard the parties concerned.

2. The present writ petition has been filed for the following relief(s):-

"(i) To issue an appropriate writ, order or direction including a writ in the nature of certiorari for quashing the impugned orders contained in letter no. 3360 dated 06.12.2019 and letter no. 3366 dated 06.12.2019 issued by the District Programme Officer (Establishment) Saran (Respondent 15 No. 5) contained in



Annexure-and 15A to the extent they affect the petitioners.

(ii) To issue an appropriate writ, order or direction including a writ in the nature of mandamus for direction to the concerned authority not to give effect to the impugned orders contained in Annexure-15 and 15A to the extent they affect the petitioners during the pendency of the instant writ petition and further the concerned authority be directed that whatever recovery has been made pursuant to the impugned orders be refunded to the petitioners.

(iii) To grant any other relief /reliefs for which the petitioners are found entitled for in view of the facts and circumstances of the case."

3. At this stage, learned counsel for the petitioners submits that the similar issues have been adjudicated by the Coordinate Bench *vide* order dated 03.09.2024 passed in ***CWJC No. 1776 of 2027 (Bihar Arajpatrit Prarambhhik Shikshak Sangh & Anr v. The State of Bihar Ors)*** and its analogous cases and this matter may also be adjudicated in similar terms.

4. Learned counsel appearing for Mid Day Meal Scheme and that of the State submit that the instant case may



also be directed to be decided by the Director, Mid Day Meal Scheme, Bihar, Patna in similar terms as has been done in the case of *Bihar Arajpatrit Prarambhik Shikshak Sangh (supra)*.

5. Considering the submissions of the parties and the nature of dispute, this writ petition stands disposed of in similar terms as has been done in the aforementioned case by directing the Director, Mid Day Meal Scheme, Bihar, Patna to pass final orders by securing the physical or virtual presence of the petitioners and after giving personal hearing to these petitioners, the issues shall be adjudicated by passing a reasoned and speaking order. Till final order is passed by the authority, there shall be no recovery of the amount which has been sought to be recovered from these petitioners.

6. The writ petition stands disposed of.

(Ajit Kumar, J)

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