

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15037 of 2025

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Smt. Pushpa Devi Wife of Sri Shambhu Yadav R/o Village-Agropatti, P.S.-
Benipatti, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through Director, Primary Education, Education Department, Govt. of Bihar, Patna.
2. The District Magistrate, Madhubani.
3. The District Education Officer, Madhubani.
4. The District Programme Officer Sarv Shiksha Abhiyan, Madhubani.
5. The Block Education Officer, Benipatti, Madhubani.
6. The S.H.O., Benipatti Police Station Benipatti, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukund Mohan Jha, Advocate
For the Respondent/s : Mr. Standing Counsel (26)
Mr. Subodh Kumar, AC to SC-26

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 27-04-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs :-

(i). For issuance of an appropriate writ in the nature of mandamus upon the respondent mainly District Programme Officer (Sarv Shiksha Abhiyan) Madhubani for giving the certificate of completion of work.

(ii). For issuance of a appropriate writ in the nature of mandamus to not take coercive steps against the petitioner as bail has been granted in Benipatti P.S. Case No. 13/2016 vide order dated 05.07.2018 passed in Cr. Misc. 19271/2018 and



only due to not providing the completion certificate petitioner could not furnished the bail bond.

(iii) For issuance of any other relief/reliefs for which the petitioner is entitled in the eye of law.

3. Learned counsel for the petitioner submits that, as against the allotment made for construction of a school building under Scheme-3 ACR to the tune of Rs.11,61,600/-, only Rs.8,62,200 was allotted to the petitioner's school. It is further submitted that cheque for disbursement of the amount in favour of the contractor was signed jointly by the Headmaster and the petitioner, who is the Secretary of the concerned school.

4. It is the case of the petitioner that under the joint signature of the Headmaster and the petitioner, who is a Secretary of the School, namely, Upgraded Middle School, Agropatti, had signed the cheque for disbursing the amount in favour of the contractor and it has further been submitted that the amount which was authorized to the contractor for carrying out the construction work has already been utilized and the work stands completed. A necessary measurement book has been duly prepared by the concerned Junior Engineer, and a report in this regard has been appended with the writ petition as Annexure P/2, to support his contention that the work as against the first advance, which was paid under the scheme in question, and the amount disbursed under the joint signature of this petitioner, and



the Headmaster, has already been carried out and nothing remains with this petitioner to contend / allege that there has been any financial embezzlement on the his part.

5. On the other hand, learned counsel for the State has produced an inquiry report dated 11.02.2026, wherein it has been alleged that the construction work has not been carried out. On the basis of the said inquiry report, an FIR is stated to have been lodged against the petitioner and the In-charge Headmaster.

6. Be that as it may, the petitioner is directed to appear before the District Programme Officer, Sarv Shiksha Abhiyan, Madhubani, within a period of one week from today, along with all supporting materials, to satisfy the said authority with regard to completion of the work against the first advance received by the school, which was disbursed to the contractor for carrying out the construction in question.

7. Upon such appearance, the District Programme Officer shall consider the claim of the petitioner with reference to the official records as well as the documents produced by the petitioner. If, upon adjudication, it is found that the work has been completed, the requisite completion certificate shall be issued, as per physical verification of the work. However, if it is



found that the work has not been completed, in such event a reasoned and speaking order shall be passed.

8. The petitioner shall be at liberty to place all materials in support of his *bona fide*.

9. Accordingly, the writ petition stands disposed of

(Ajit Kumar, J)

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