

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2734 of 2015

1. Tarun Kumar, Son of Shree Hira Ram, Resident of Village and P.O.- Kurshandi,
P.S.- Puraini, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna
2. Director of Planning, Bihar Mahadalit Vikash Mission, Bihar, Patna
3. Additional Director of Welfare, Bihar, Patna
4. District Magistrate, Madhepura
5. District Planning Officer, Madhepura
6. Sub Divisional Welfare Officer (Mahadalit in charge), Udakishunganj
7. Sub Divisional Officer, Udakishunganj.
8. Vivekanand Sada, Son of Shree Mahendra Sada, Village- Balia, P.O.- Naya Tola,
P.S.- Puraini, District- Madhepura

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Punita Kumari Singh

For the Respondent/s : Mr. GP22- G.P. OJHA

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 16-02-2015

The employment of the petitioner is a contractual one.

It is contract for service and not of service. If there is breach of contract, common law remedy is the answer for the petitioner and not the writ. The terms of engagement itself indicate that he is not a government servant.

Writ is dismissed. Dismissal of the writ will not come in the way of the petitioner invoking common law remedy.

(Ajay Kumar Tripathi, J)

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