

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12774 of 2014

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1. Sant Kumar s/o Late Suresh Prasad r/o village - Saguni, P.S. Masaurhi, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Agriculture, Government of Bihar, Patna
2. The Joint Secretary, Department of Agriculture, Government of Bihar, Patna
3. The Director, Agriculture, Department of Agriculture, Government of Bihar, Patna
4. The District Magistrate - cum - Chairman, Agricultural Co - ordinator Appointment Committee, Arwal
5. The District Agriculture Officer, Arwal

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Respondent/s : Mr. SC13- ARVIND KUMAR-1

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 22-06-2015

22.06.2015

Heard learned counsel for the parties.

From perusal of the materials available on records and the stand of the respondent-authorities in the counter affidavit, it appears that it is a case where more has been alleged than made out with regard to discrimination or arbitrariness in removal of the petitioner from the post of Agricultural Coordinator. The appointment of the petitioner in the very first place seems to be erroneous, if not manipulated by the Office Assistant or the Dealing Assistant, as is the stand of the State. If certain persons over and above the petitioner

can come to be ignored and on wrong nothing he came to be appointed, the irregularity is required to be undone.

The bona fide of the stand of the State may not have required judicial scrutiny for the fact that even action against the said Dealing Assistant or Office Assistant has been taken in this regard.

Even otherwise, the appointment and selection was on a contract basis for a limited period. The Court is not convinced that the removal of the petitioner was for extraneous reason or for reason which requires judicial scrutiny, as the element of arbitrariness does not emerge.

Writ application is dismissed.

(Ajay Kumar Tripathi, J.)

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