

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.449 of 2013

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Rakesh Kumar, S/O Sri Gupteshwar Singh, R/O Village- Barahuli, P.O.- Bhatti,
P.S.- Adhaura, District- Kaimur At Bhabhua

.... Appellant

Versus

1. The State of Bihar, through The Secretary of Agricultural Department, Bihar at Patna
2. The Director of Agriculture, Bihar at Patna
3. The Joint Director of Agriculture, Bihar at Patna
4. The Deputy Director of Agriculture (National Agriculture Development Programme), Patna
5. The District Magistrate, Kaimur at Bhabhua
6. The District Agriculture Officer, Kaimur At Bhabhua
7. The Block Agriculture Officer Block- Adhaura, District- Kaimur at Bhabhua

.... Respondents

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Appearance :

For the Appellant/s : None

For the Respondent/s : Mr. Ram Subhas Singh, AC to AAG-15

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 30-06-2016

No one appears on behalf of the appellant in this Intra-Court Appeal. State Counsel is present. Heard.

The appellant was appointed as subject matter specialist in the Director of Agriculture, purely on contract basis for two years period. His contractual appointment was prematurely terminated on 30.03.2012. Being aggrieved by which the writ petition was filed. The writ Court dismissed the writ petition on the ground, firstly, that the period of contract itself would have run out by 21.06.2012 and

secondly, Clause 2 of the Contract merely stated that the employer had the right to remove the petitioner simplicitor for alleged deficiency for discharge of duties, and thirdly, compliance of natural justice is not to be observed as a strait jacket formula.

We have perused the order and record and we see no reason for interference. Firstly, no relief can now be granted after expiry of four years. The writ petitioner/appellant had been terminated only three months before expiry of the contract. The writ petitioner/appellant was heard in the matter, may be not as elaborately as in a departmental proceeding.

Considering the aforesaid facts and the order of the learned Single Judge, we are not inclined to interfere in the matter. This Letters Patent Appeal is, accordingly, dismissed.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

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