

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.108 of 2015

Arising out of

Civil Writ Jurisdiction Case No. 16833 of 2013

Along with

Interlocutory Application No. 474 of 2015

=====

Md. Hasmuddin Ansari, son of Md. Nathuni Ansari, Resident of village-Bishunpura, P.O.- Damodarpur, P.S.- Pipra, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary , Human Resources Development Department, Government of Bihar, Patna.
2. The Director, Mid-day Meal Scheme, Bihar, Patna
3. District Magistrate- cum- Chairman, Mid-day Meal scheme, East Champaran.
4. The District Education Officer, East Champaran
5. The District Programme Officer (Establishment), East Champaran
6. The Sub- Divisional Officer, Areraj, East Champaran
7. The Senior Deputy Collector-cum-District-in-Charge Officer, Mid-day meal Scheme, East Champaran
8. The Block Development of Officer Harsidhi, East Champaran
9. The Programme Officer, Secondary Education, East Champaran
10. The District Resource person, Mid-day Meal scheme, East Champaran.
11. The Member Secretary, District Selection Committee of Mid-day Meal Scheme, East Champaran.

.... Respondent/s

=====

Appearance:

For the Appellant/s :

For the Respondent/s :

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 04-04-2016

Re. Interlocutory Application No. 474 of 2015.

The application is for condonation of delay of 37 days in filing the Letters Patent Appeal. For the reasons mentioned in the application, we find that the appellant has made out sufficient cause for seeking condonation of delay. Consequently, Interlocutory Application No. 474 of 2015 filed for condonation of delay of 37 days is allowed.

Re. Letters Patent Appeal No. 108 of 2015.

The challenge in the Letters Patent Appeal is to an order passed by the learned Single Judge on 09.10.2014 whereby the Writ Petition filed by the applicant for directing the respondents to enter into a contract for service on a post of Block Resource Person was dismissed.

The applicant was engaged in the year 2010 on contract basis but subsequently an F.I.R. under Sections 420 and 409 IPC was registered against the contractor including the present appellant. In view of the said fact, the contract was not renewed.

The appellant cannot claim any right to seek appointment on contract basis. There is valid reason in not extending the contractual period of the appellant as there was criminal case pending against him.

We do not find that by not renewing the contract, any right of the appellant has been infringed. We do not find any error in the order of the learned Single Judge. Accordingly, the Letters Patent Appeal is dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

Dilip/Anjani.

N.A.F.R.

U			
---	--	--	--