

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.513 of 2014
Arising out of
Civil Writ Jurisdiction Case No. 8506 of 2013

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Sanjay Ram Son of Late Hari Bans Ram Resident Of Pahari, P.O. Bhabhani, P.S.
Kargahar, District - Rohtas - 802224

.... Appellant/s

Versus

1. The State Of Bihar, through the Chief Secretary, Govt. Of Bihar, Patna
2. The Secretary, Rural and Urban Development, Govt. Of Bihar, Patna
3. The Chairman, District Board, Nagar Parishad, Sasaram
4. The District Magistrate, Sasaram
5. The Sub - Divisional Officer, (Civil), Sasaram
6. The Labour Superintendent, Delhi - On - Sone, Rohtas
7. The Executive Officer, Nagar Parishad, Sasaram

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Deepak Kumar, Advocate.
For the State	:	Mr. Sita Ram Yadav, GP-16 with Mr. Satyendra Kumar Jha, AC to GP-16
For the Nagar Parishad	:	Mr. Vijay Shankar Upadhyay, Advocate.

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 06-09-2016

The challenge in the present Letters Patent Appeal is to
an order passed by the learned Single Bench on 26.04.2013, whereby
the writ application filed by the appellant was dismissed.

The appellant has sought to challenge the decision of the
District Board not to extend the services of the appellant who was
working as Rickshaw Puller for the purpose of collection of garbage.
Whether the contract of collection of garbage has to be given on
contract basis or has to be carried out through the employees of the
Municipality or in any other manner is a matter of policy decision.
This Court in exercise of power of judicial review will not examine

such decision as to whether the Municipality has to give contract for collection of garbage on contract basis or to engage staff on regular basis or any other mode of process for collection of garbage.

The learned Single Bench has rightly dismissed the writ petition as there could not be any direction against the order dated 28.12.2012 whereby it was decided not to renew the contract given to the appellant at one stage.

A perusal of the record shows that a fresh advertisement has been issued inviting offer from the willing persons to take a work for collection of garbage on contract basis. The appellant is at liberty to respond to the said advertisement and compete for the allotment of work in accordance with law.

In view thereof, we do not find any error in the order passed by the learned Single Bench which may warrant interference in the present Letters Patent Appeal and the same stands dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

P. Kumar/Anjani

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A