

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.5882 of 2013**

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Balram Choubey S/O Late Rikhai Choubey, presently Secretary, Lokayatan an N.G.O., At Village- Nathupur, P.S.- Kudra, District- Kaimur (Bhabhua)

.... .... Petitioner

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna
2. The Secretary, Rural Development Department, State of Bihar, Patna
3. District Magistrate, Kaimur (Bhabhua)
4. Deputy Development Commissioner cum President District Water and Sanitation Committee, Kaimur (Bhabhua)
5. Member Secretary Cum Executive Engineer District Water and Sanitation Committee, Kaimur (Bhabhua)
6. Deputy Inspector General, Vigilance Department, Patna

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Amarendra Kumar Pathak, Adv.

For the Respondents : Md. Harun Quareshi, AC to SC-01.

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 27-10-2016**

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed for quashing the office order no. 10 dated 20.12.2012 issued under the signature of Member Secretary cum Executive Engineer, District Water and Sanitation Committee Kaimur (Bhabhua) whereby and whereunder the petitioner has been informed that the work allotted to his organization has been cancelled and the agreement entered into in between the Sanitation Committee and the petitioner on 07.02.2006, under Total Sanitation Campaign/Lohia Sanitation Plan too has been canceled due to laches in work and slow pace in execution of work.

3. Learned counsel for the petitioner has challenged the impugned action of the respondents on various grounds, not the least of them on the ground of violation of natural justice and it is stated that no prior show cause notice was issued to the petitioner prior to cancellation of the agreement. It is further stated that the facts of the case of the petitioner are almost identical to the facts of *Muna Prasad Gupta vs. The State of Bihar, 2015(1) PLJR 2*.

4. Learned counsel for the respondents fairly accepts that the petitioner’s case is covered by the aforesaid decision in the case of *Munna Prasad Gupta* (supra).

5. Having regard to the stand of the parties, the present writ petition is disposed of in line with and on the same terms as the decision of this Court reported in *Muna Prasad Gupta vs. The State of Bihar, 2015(1) PLJR 2*.

**(Vikash Jain, J)**

Md. Ibrarul/BT

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