

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.544 of 2018
IN
Civil Writ Jurisdiction Case No. 19207 of 2016**

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Arjun Mandal S/o Late Ram Prasad Mandal, Resident of Village - Mungroua,
Chaurasia Path, P.O. - Jamalpur, P.S. - East Colony, District - Munger, Pin -
811214.

.... Appellant/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Revenue and Land Reforms Department, Govt. of Bihar,
Patna.
3. The Director, Land Record and Survey, Govt. of Bihar, Patna.
4. The Collector-cum-Settlement Officer, Munger, District - Munger.
5. The Circle Officer, Tarapur, District - Munger.
6. Devanshu Shekhar Rajhans S/o Radha Krishna Das, Resident of Rampur Colony,
Quarter No. 411/AB Jamalpur, P.O. & P.S. - Jamalpur, District - Munger.
7. Ravi Shekhar S/o Nand Kishore Mehta, Resident of Village - Bariyarpur Basti,
P.O. + P.S. - Bariyarpur, District - Munger, Pin - 811211.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Alok Ranjan, Adv

For the Respondent/s : Mr. Md. Khurshi Alam - AAG12

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD)

Date: 19-06-2018

Challenging the order dated 22.03.2018 passed in Civil Writ
Jurisdiction Case No.19207 of 2016 by the learned writ Court, the
original writ petitioner has moved in this Intra Court appeal.

2. It is not in dispute that Annexure-1 to the writ application
is the advertisement inviting applications from the eligible candidates
for engagement as Amin/Muharir as per requirement for up-gradation



of the records of divisional survey and other land records in the settlement office. Clause 6 of the advertisement specifically provides that the applicant shall not be entitled to claim permanent employment and they will be discharged on completion of work. The learned writ Court while passing the impugned order observed as under:-

“Having heard learned counsel for the parties and in the nature of relief prayed where these petitioners claim permanent status but the stipulation present in the advertisement itself made it explicit that no such right would accrue, this Court is not persuaded to grant indulgence more particularly in view of the fact that Amins do not come with regular cadre and the issue is being raised after four years of selection.”

3. Learned counsel for the writ petitioner-appellant submits that the petitioner had a legitimate expectation in the light of various judgments of the Hon’ble Apex Court and he would be entitled to get a permanent status as well as salary which the regular Amins are getting since the date of inception.

4. Having heard learned counsel for the appellant and on perusal of the impugned order we do not find any reason to accept the submission of learned counsel for the petitioner.

5. In the facts and circumstances of the case, where the



advertisement itself provides that the petitioner shall not be entitled to claim permanent employment and he will be discharged on completion of work, the claim of the petitioner that he had legitimate expectation to get the permanent status has no basis to stand, moreover, a legitimate expectation alone would not be enough to claim a writ of mandamus from the Court to secure permanent status in service.

6. The Letters Patent Appeal has no merit. It is, accordingly, dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Arvind/R.R.Ojha

AFR/NAFR	N/A
CAV DATE	N/A
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