

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1778 of 2016

In
Civil Writ Jurisdiction Case No.8795 of 2015

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Dilip Kumar Son of Subodh Sah, R/o Village- Tikarampur, Bihari Marar Tola,
P.S.- Mufassil, District- Munger.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The Mission Director, Bihar Administrative reforms Mission Society, General Administration Department, Government of Bihar, Patna.
3. The Khagaria District Bihar Administrative Reforms Mission society selection Committee, Khagaria through its Chairman i.e. District Magistrate, Khagaria.
4. The District Magistrate, Khagaria.
5. The District Agriculture Officer, Khagaria.
6. The Electrical Executive Engineer, Khagaria Supply Division, Khagaria (North Bihar Power Distribution Company Limited).

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Yadav, Advocate
For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 02-05-2018

Delay of 157 days in filing of the appeal is condoned.

I.A. No. 7254 of 2016 stands allowed and disposed of.

The writ petition in question, which has been dismissed by the impugned order passed on 02.03.2016 in C.W.J.C. No. 8795 of 2015, was filed by the petitioner challenging the action of the District Magistrate, Khagaria in cancelling the contract appointment of the petitioner.



Records indicate that for filling up various post on contract basis, action was taken, advertisement was issued and the appointment orders were to be issued after a panel was prepared but immediately after the panel was prepared in the matter of filling up of the post even on contract basis it was found that various illegalities have been committed, roster has not been maintained, selection has not been done in accordance with the requirement of law and the merit-list was prepared ignoring various aspects of the matter.

Taking note of all these factors, the learned District Magistrate has cancelled the entire process of appointment after evaluating the illegalities committed in the matter of appointment and the entire panel was cancelled.

The learned Writ Court examined the matter and found that it was only a contract appointment and the appointment has been cancelled on account of various illegalities.

We see no reason to make any indulgence into the matter. Petitioner having applied for appointment on a contract basis, has no right to seek the appointment once it has been cancelled on the basis of illegalities found even in the matter of appointment on contract basis.



Accordingly, finding no ground for making any indulgence into the matter, the Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

P.K.P./-

AFR/NAFR	N.A.F.R.
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