

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20769 of 2010

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Vijay Ram, son of Late Yogendra Ram, resident of village-Morsand, P.S.
Pusa, District-Samastipur

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Gramin Development Department, Govt. of Bihar, Patna
2. The Programme Officer, Samastipur
3. The Deputy Development Commissioner (D.D.C.), Samastipur cum Chief Executive Officer, District Gramin Development Abhikaran, Samastipur
4. The Programme Officer, Pusa, Samastipur

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Ranjan Kumar

For the State : Mr. Chitranjan Sinha, PAAG-2

Ms. Ratna Kumari, A.C. to PAAG-2

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-07-2018 The petitioner by way of the present writ petition has prayed for quashing of the order dated 09.11.2010 passed by the Deputy Development Commissioner, Samastipur (respondent no. 3) who has terminated the contract of the petitioner on the ground that his performance has been extremely poor.

The learned counsel for the petitioner has submitted that since there was no allotment of fund, there was no occasion for the petitioner to perform.

In view of the disputed question of fact, I deem it fit and appropriate to remand the matter to the Deputy Development Commissioner, Samastipur to review his order dated 09.11.2010 in



light of the submission of the petitioner to the effect that since no allotment of money had been made for Vishanpur Bathua in Pusa Block, South Harpur and Harpur Mahmada Panchayat, the petitioner could not have performed any work. The respondent no. 3 shall decide the case of the petitioner afresh within a period of four weeks from today.

The writ petition is disposed of.

(Mohit Kumar Shah, J)

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