

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1793 of 2016

IN

Civil Writ Jurisdiction Case No. 18874 of 2015

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Md. Ashfaq Ali (Senior Auditor), son of late Md. Ali, Imam, resident of Mohalla
Kamal Cottage, Near Gas Godown, Saguna More, Danapur Cantt., Patna- 801503

.... Petitioner / Appellant

Versus

1. The State of Bihar thorough the Principal Secretary, Education Department,
Govt. of Bihar, Patna.
 2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
 3. The State Project Director, Bihar Education Project Council, Shiksha Bhawan,
Rashtrabhasha Parishad, Sadipur, Rajendra Nagar, Patna-4
 4. The Administrative Officer, State Education Project Office, Patna-4
 5. The Chief Accounts Officer, Bihar Education Project, Patna-4
- Respondents / Respondents
- =====

Appearance:

For the Appellant/s : Mr. Fakhruddin Ali Ahmad, Advocate.

For the Respondent/s : Mr. Sunil Kumar Mandal, S.C. 3.

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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: 06-04-2018

Challenging the judgment dated 13.07.2016 passed by the
learned Writ Court, the writ petitioner is in intra-court appeal before
us.

2. Upon hearing learned counsel for the petitioner-
appellant and learned counsel representing the State as also after
going through the letter of appointment, as contained in Annexure-4
to the Writ Application, we find that the petitioner was appointed on
the post of Senior Auditor till termination of Sarva Shiksha Abhiyan



scheme. Since the appointment letter itself made it clear that it is a short-term contractual appointment, in our considered opinion, the learned Writ Court has rightly dismissed the Writ Application. If the petitioner has accepted his engagement on short-term basis with open eyes he cannot turn around and claim a legal right to continue with such an appointment. It is for the concerned authority to see as to whether the service of the petitioner is required for any further term.

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

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
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