

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 11996 of 2016

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Girdhari Kumar, s/o Mahesh Chandra Prasad resident of Mohalla – Dumduma
(behind Zila School), P.O.+P.S.- Laheria Saray, District - Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Additional Mission Director, Bihar Administrative Reform Mission Society,
General Administration Department, Bihar, Patna
3. The District Collector, Darbhanga.
4. The Senior Deputy Collector (Electric), Darbhanga.
5. The Electric Executive Engineer, North Bihar Power Distribution Company
Pvt. Ltd., Town Electric Supply Division, Darbhanga
6. The Revenue Officer, Electric Supply Division, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Sunil Kumar, Advocate

For the Respondent/s : Mr Shyam Kishore Sharma, GA I

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 21-02-2019

Heard learned counsel for the petitioner, State and the
North Bihar Power Distribution Company Private Limited.

2 Pursuant to an advertisement issued by the Bihar
Prashasanik Sudhar Mission Society in the year 2013, the
petitioner was employed on contractual basis to work as Executive
Assistant. In course of performance of his duties, the Authorities
found that the petitioner was incapable of coping with the work.
The various correspondences issued by the different authorities are
to be found in the counter affidavit in Annexures A to E wherein



all have consistently found the petitioner's work much below the mark. In fact, it is observed that he is not capable of typing either in Hindi or English. Utility of the petitioner as a contractual employee was not found to be worth his retention. Accordingly, the petitioner has been removed.

3 Learned counsel for the petitioner submits that a sympathetic consideration should be taken in his regard and that, on some occasions, recommendation has been made for his extension of service and that the Establishment Deputy Collector has also given a recommendation in his favour. The two documents relied upon by the petitioner's counsel are Annexures 5A and Annexure 10.

4 Such recommendations cannot vest any right in the petitioner since the officials have consistently found his work to be much below the mark and the nature of his employment was contractual. After giving him an opportunity in the matter, the action has been taken against him, therefore, this Court does not consider it appropriate to interfere in the matter. This Court would only observe that in his response to the allegation of inefficiency, as contained in petitioner's communication (Annexure 4), there is an inherent admission of his inefficiency. Petitioner has tried to



explain his inefficiency by asserting that he was mentally disturbed on account of demise of his mother-in-law.

5 In the circumstances, the writ petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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