

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4929 of 2016

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Mukesh Rajak S/o Late Kapildeo Rajak Resident of village - Barauni Bittha,
P.S. Barauni, District - Begusarai

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Director, Bihar Mahadalit Vikas Mission, Bihar, Patna
3. The Collector, Begusarai, District - Begusarai
4. Sub - Divisional officer, Begusarai, District Begusarai
5. District Welfare Officer, Begusarai, District Begusarai
6. Block Development officer, Begusarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Respondent/s : Mr.Mudhkar Mihsra, AC to SC 16

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 17-10-2019 Heard counsel for the petitioner and counsel for the
respondents-State.

Petitioner's counsel submits that the petitioner has falsely
been implicated in trap case arising out of Barauni P.S. case no.
106/2015 as the date on which trap was constituted, petitioner was
yet to be deputed at the office from where petitioner has been
arrested.

He further submits that without affording any opportunity
of hearing, he has been visited with stigma. Orders issued by the
Sub-divisional Officer, Begusarai and District Welfare Officer,
Begusarai dated 16.04.2015 and 28.04.2015, alleged corruption. On
such basis petitioner has been terminated, though the same is not
preceded by any proceedings or opportunity to the petitioner. Even



the proceedings arising out of Barauni P.S. case no. 106/2015 are yet to arrive at conclusion as to whether petitioner can be said to be guilty of the alleged acts of corruption or not.

Counsel for the State submits that identity of the petitioner being contractual, he is not entitled to procedural protection under service rules which are available to permanent government servant.

Having considered rival contentions, this court would observe that there is no finding of any instance of corruption by any court, or in any proceedings. This court would therefore hold that no stigma would be attached to the petitioner on account of two orders dated 16.04.2015 and 28.04.2015 issued by the Sub-divisional Officer, Begusarai and District Welfare Officer, Begusarai.

Writ petition stands disposed of with the above observations.

(Madhuresh Prasad, J)

s.hassan/-

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