

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7503 of 2019

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Jyoti Kumar, Male, S/o Sigasan Ram, Resident of village and P.O- Mion, P.S.-
Sonhan, District- Kaimur, at present Bhabhua, Ward No. 19, District-
Bhabhua (Kaimur).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Bihar, Patna.
2. The Principal Secretary, General Administration Department, Bihar, Patna.
3. The Additional Mission Director, Bihar Administrative Reforms Mission Society, General Administration Department, Bihar, Patna.
4. The District Magistrate Kaimur, Bhabhua.
5. The District IT Manager, Kaimur, Bhabhua.
6. The Circle Officer, Circle Office, Bhabhua District- Kaimur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Giri, Adv.

For the Respondent/s : Mr. Dhurendra Kumar, AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 03-05-2019

The petitioner was engaged on temporary basis
as an Executive Assistant in the Circle Office, Kaimur at
Bhabhua. However, because of his not joining at the
transferred place and his making request for forestalling



such transfer through reference of public representatives, which was considered by the District Magistrate, Kaimur at Bhabua, to be a serious charge and an act of indiscipline, the contract of the petitioner was terminated.

2. The Government of Bihar in the General Administrative Department, through the Bihar Administrative Reforms Mission Society, has passed a resolution for providing reemployment to Executive Assistants. However, such resolution is not applicable to those Executive Assistants whose services have been terminated on administrative grounds.

3. The petitioner is one such person whose contract was terminated on disciplinary grounds.

4. The present petition has been filed seeking a *Mandamus* to the concerned respondent for considering the case of the petitioner for being appointed as an Executive Assistant. The reason for making such prayer in the present petition is that some of the persons, whose services/contracts were also terminated on disciplinary grounds, have been re-engaged.



4. This Court is afraid, that cannot be a reason for issuing a *Mandamus* in favour of the petitioner to the concerned respondent. The petitioner has not been able to make out any case for interference by this Court.

5. The petition is dismissed accordingly.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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