

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 8988 of 2019

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Pappu Kumar, aged about 33 years (Male), Son of Sri Ayodhya Prasad R/o
Village-Chakand Bazar, P.S. Chakand, District-Gaya

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Social Welfare Dept,
Govt. of Bihar, Patna
2. The Joint Director Head Quarters, Social Welfare Dept, Government of
Bihar, Patna
3. The Commissioner Gaya Division, Gaya
4. The District Magistrate Gaya
5. The Deputy Development Commissioner Gaya
6. The Assistant Director District Child Protection Unit, Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Mukul Sinha, Advocate
For the Respondent/s : Mr Gyan Prakash Ojha, GA VII

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 29-08-2019

Heard learned counsel for the petitioner and the
respondent-State.

2 Pursuant to an Advertisement in the year 2011,
petitioner was engaged on contract basis for a period of one year
as a Peon in the District Child Protection Unit at Gaya. Learned
counsel for the petitioner submits that after lapse of one year's
contract period, for which the selection was made on 24.07.2013,
respondents, on their own, having appreciated the petitioner's



work, have kept him in contractual employment by renewing his engagement till January, 2018. It is, thereafter, that the petitioner's claim for continuation on contract basis has been rejected under the order dated 03.05.2018.

3 On going through the Advertisement of 2011, this Court would only observe that the same contemplated contractual engagement for only one year period. The fact that the respondents have allowed him to continue till January, 2018 will not create a vested right in the petitioner to claim renewal of contract for all times to come.

4 The other aspect of the matter, which is canvassed by the petitioner's counsel is that on account of the Office Order dated 03.05.2018, the petitioner would stand deprived of consideration of his claim for contractual engagement in future on account of the authorities having recorded that the petitioner's work was unsatisfactory. Learned counsel for the petitioner submits that recording of the fact that the petitioner's work was unsatisfactory is contrary to the various positive appreciation of his work leading to his continuance uptill January, 2018.

5 This Court would only observe that when the Authorities would be embarking on an exercise for contractual appointment in future, it would be open to the petitioner to apply



and his case has to be considered as per the terms of the Advertisement.

6 With the aforesaid observations, writ petition is disposed of.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.08.2019
Transmission Date	NA

