

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1471 of 2017

In
Civil Writ Jurisdiction Case No.15033 of 2011

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Umesh Kumar Singh S/o Late Bishwanath Singh, Resident of Village- Salaiya Kala, P.S.- Fatehpur, District- Gaya at present the then Panchayat Rojgar Sevak Fatehpur Block, District- Gaya.

... .. Appellant

Versus

1. The State Of Bihar
2. The District Rural Development Agency, Gaya.
3. The District Magistrate-cum-District Programme Co-ordinator, Gaya.
4. Deputy Development Commissioner, Gaya.
5. The Sub-Divisional Officer, Gaya.
6. The District Programme Officer, Gaya.
7. The Block Programme Officer, Fatehpur Block, District- Gaya.

... .. Respondents

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Appearance :

For the Appellant/s	:	Mr. Diwakar Pd. Karn, Adv. Mr. Chandra Shekhar Anand, Adv.
For the Respondents	:	Mr. Deepak Sahay Jamuar, A.C. to AAG-4

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

and

HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA)

Date : 20-12-2019

Heard learned counsel appearing for the appellant as well as learned counsel of the State.

2. The appellant was appointed as Panchayat Sevak on contract for a limited period but before expiry of period of his appointment, higher officials inspected the work of appellant and others and found him guilty of dereliction of his duty and



thereafter, his contractual appointment was cancelled by the competent authority. The appellant preferred CWJC No. 15033 of 2011 against the cancellation of his contractual appointment but the learned Single Judge dismissed the above stated writ petition taking note of this fact that the period of contract had already been elapsed.

3. Learned counsel of the appellant submits that the learned Single Judge ought to have decided the writ petition of the appellant on merit but the learned Single Judge dismissed the writ petition of the appellant holding the said writ petition as infructuous.

4. On the other hand, learned counsel appearing for the State submits that the learned Single Judge rightly dismissed the writ petition of the appellant as the writ petition had already become infructuous.

5. Having heard the contentions of the parties, we went through the records. We do not find any ground to interfere into the impugned judgment passed by the learned Single Judge and accordingly, this appeal stands dismissed.

6. However, it is made clear that adverse remarks, if any, made by the District Magistrate, Gaya vide Memo No. 984 dated



02.06.2011 against the appellant shall not affect on his future prospect.

(Hemant Kumar Srivastava, J)

(Prabhat Kumar Singh, J)

shahzad/-

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