

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14456 of 2015

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Shalini Kumari, Wife of Shashi Shankar Chaudhary, resident of Dam Road,
Bousi, P.S. Bousi District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bihar Administrative Reform Mission Society Department Bihar, Patna through its Director.
3. The Additional Mission Director, Bihar Administrative Reform Mission Society, Bihar, Patna.
4. Collector, Banka.
5. S.D.O. Banka, District Banka.
6. B.D.O. Amarpur, District Banka.
7. Deputy Collector, Establishment Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh
For the Respondent/s : Mr.Ajay- GA12

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 18-12-2020

Heard Mr. Bijoy Nandan Sahay, learned counsel for
the petitioner and Mr. Ajay, representing the State.

In the present case, the petitioner is aggrieved by the letter of termination of service passed by the Deputy Collector, Establishment, Banka.

The short fact of this case is that the petitioner vide Memo No. 878 dated 3.11.2012, was appointed as Executive Assistant on the consolidated amount of Rs. 7,000/- per month for one year wherein it has been mentioned if the services will be found to be satisfactory, the period of service will be extended.



Firstly, the petitioner was posted at Bounsi, Banka and, later on, she was transferred to Amarpur. As per learned counsel for the petitioner, she remained in service for five years but, she was not allowed to work in a peaceful atmosphere, always she was disturbed, made a complaint that the employee and staffs were drinking intoxicated material in the office and made a complaint against the B.D.O. who was also transferred from there.

Learned counsel for the State submits that the petitioner is a quarrelsome lady, always pick-up dispute with the staffs and employees, never intended to work and it has also been pointed out that she used to harass the pensioner beneficiary. So, ultimately, her services was not found to be satisfactory.

In reply, learned counsel for the petitioner submits that if there was a complaint against the petitioner, the authority, at least, should have followed the minimum requirement of principle of natural justice and to follow the proper procedure by way of giving notice and asking show-cause but, purportedly the show-cause was not served upon the petitioner and, illegally, she has been terminated from service.

From the appointment letter, it appears that initially the petitioner was engaged for one year, no letter has been brought to the notice of this Court extending her services rather, from the



documents attached by the State, it appears that the different complaints were received from different persons and even the general person as well as the members of the Panchayat Samiti and, ultimately, while working at Amarpur, her services has been terminated.

Admittedly, it was the contractual appointment and extension of the same can only be looked into when there is a letter issued by the State extending the period of service. Although she continued for five years but, the same will not make her entitled for extension of service.

Without going into the allegation part made by the petitioner, this Court simply will not interfere with the order of termination as the service was for one year and there is no extension.

This Court does not find any merit in the present writ application and the same is, accordingly, dismissed.

(Shivaji Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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