

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22778 of 2019

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Abha Kumari, wife of Sri Pankaj Kumar, resident of C/o Bacha Prasad Singh,
Road No.- 1-D, Ashok Nagar, P.S.- Kankarbagh, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Education Department,
Govt. of Bihar.
2. The Vice- Chancellor, Patliputra University, Old By-pass Road, Kankarbagh,
Patna.
3. The Principal in- Charge, Ram Krishna Dwarika Mahavidyalay, Lohiya
Nagar, Kankarbagh, Patna.
4. Dr. Upendra Prasad Singh (Male) aged about 58 years, the then Principal of
Dr. Ram Krishna Dwarika College, Lohiya Nagar, Kankarbagh, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mrigank Mauli, Advocate
For the Respondent/s : Mrs. Shilpa Singh (GA-12)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-02-2020 Heard Mr. Mrigank Mauli, learned advocate for

the petitioner.

The petitioner was appointed on *ad-hoc* basis as
a Librarian in a college falling in Patliputra University.
For some time, the salary of the petitioner was paid by
the college but later the salary was paid through an
agency which had outsourced other persons in the
college. As long as the petitioner was getting salary from
whichever source, there was no complaint. However,



after some time, without any reason, the petitioner has been stopped from coming to the college and discharging her duties.

There is no regular appointment of the petitioner for her to agitate her claim for being regularized or reinstated. The petitioner was appointed on *ad-hoc* basis and therefore she may not be entitled to invoke Article 226 of the Constitution of India.

However, there has to be some method in doing away with the services of a person. The petitioner was at least entitled to know the reasons for her ousting from the job.

The petitioner, under the aforesaid circumstance is directed to make a suitable representation before the Principal of the college in question within a period of four weeks, who, on going through such representation shall take a decision and shall also inform the petitioner as to the reason for stopping taking work from her as Librarian. Any decision



which shall be taken by the Principal of the concerned college shall be made known to the petitioner. This exercise ought to be completed within a period of four weeks from the date of receipt of such representation so that in case the petitioner does not get reinstated, she would look for other avenues in live.

With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

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