

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.178 of 2020

In
Civil Writ Jurisdiction Case No.22765 of 2019

=====

Pramod Kumar Singh @ Pramod Kumar Son of Shri Rampyare Singh Yadav
@ Ram Pyare Singh Resident of Village- Rohua, P.O. and P.S.-Durgawati,
District-Kaimur.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of General Administration, Government of Bihar, Patna.
2. The Nagar Parishad, Sasaram through its Executive Officer.
3. The Executive Officer, Nagar Parishad, Sasaram, District- Rohtas.
4. The Strong Standing Committee (Sashakt Sthai Samiti), Nagar Parishad, Sasaram, District- Rohtas.
5. The Members, Strong Standing Committee (Sashakt Sthai Samiti), Nagar Parishad, Sasaram, District- Rohtas.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Siddharth Harsh, Adv
For the Respondent/s : Mr.Prabhat Kumar Verma (AAG3)

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 18-02-2021

Heard learned counsel for the parties.

This LPA under Clause 10 of Letters Patent Appeal has
been preferred for setting aside the judgment and order dated



21.01.2020 passed in CWJC No. 22765 of 2019.

Briefly stated, the facts of the case is that Appellant was appointed on daily wages by letter no. 273 dated 29.01.2016 for doing pairvi in various courts on behalf of Nagar Parishad, Sasaram, for three months on the wages as fixed by the State Government with a condition that the period of engagement can be extended, if services are found satisfactory and thereafter same was extended by order dated 14.06.2016 till further orders and Appellant was further allotted other works in addition to his present duty. However, he was removed from service by order dated 23.10.2019 issued by the Executive Officer, Nagar Parishad, Sasaram, pursuant to decision taken by the Empowered Permanent Committee of Nagar Parishad, Sasaram, in its meeting held on 18.10.2019.

A daily wage employee appointed for a specified period cannot claim any permanency and can be removed by employer anytime during his service as nature and conditions of such appointment is always temporary. A daily wager cannot claim appointment against a permanent or temporary post and his services can be dispensed with at any point of time by his employer without assigning any reason. As per the terms and conditions of his engagement he was initially engaged for three



months on daily wages and same was extended till further orders, as such, his removal was as per terms and conditions of his employment which cannot be faulted.

After hearing the parties and considering the materials available on record, this Court does not find any infirmity or error in the order passed by the learned Single Judge requiring any interference by this Court.

Accordingly, this Letters Patent Appeal is dismissed.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.04.2021
Transmission Date	NA

