

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6790 of 2020

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Dhramvir Kumar Ram Son of Sri Rajendra Ram Resident of Bargama Ward
No. 6, Malinagar, P.S.- Chakmehasi, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary, Department of Health,
Government of Bihar, Patna.
2. The Director-in- Chief (Administration) Health Services, Government of
Bihar, Patna.
3. The Principal Patna Medical College, Patna.
4. The Superintendent Patna Medical College and Hospital, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arup Kumar Chongdar, Advocate
For the Respondent/s : Mr. Pankaj Kumar (SC 12)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 21-12-2021

Heard learned counsels for respective parties.

In the instant petition, petitioner has prayed for the
following reliefs:-

*“(i) For quashing of order
issued vide memo no. 634(4) dated-
26.4.2019 and consequential order
dated 29.04.2019 (annexures- 6
series) respectively,”*

Petitioner was appointed to the post of X-ray Technician
on 26.04.2019 on contract for a period of one year or till regular
recruitment/appointment. Petitioner’s service was terminated on
26.04.2019 without issuance of notice to the petitioner that his
initial appointment is contrary to procedure/lack of vacancy etc.



Such termination is in stigmatic in nature, therefore, petitioner is entitled to notice. Thus, petitioner has made out a case so as to interfere with the impugned order dated 26.04.2019 and consequential order dated 29.04.2019 (Annexure-6 series) it is set aside.

The concerned respondent is hereby directed to issue detail show cause notice as to why the petitioner’s services shall not be terminated. Petitioner is hereby directed to file fresh explanation within a period of four weeks from the date of receipt of such notice. On receipt of the petitioner’s explanation, the concerned respondent-appointing authority is hereby directed to proceed in accordance with law after due consideration of each of the contention to be raised by the petitioner in his explanation within a period three months from the date of receipt of this order.

With the aforesaid observations, the present writ petition stands disposed off.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

