

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.427 of 2019

In
Civil Writ Jurisdiction Case No.3884 of 2019

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Chetan Kumar Madhurya, S/o Sri Sunil Kumar, resident of At and P.O.-
Baruraj, P.S.- Baruraj, District- Muzaffarpur.

... .. Appellant/s

Versus

1. The Bihar State Horticulture Development Society through the Mission Director, State Horticulture Mission, Pant Bhavan, Patna
2. The Accounts Officer State Horticulture Mission, Pant Bhavan, Patna
3. The Joint Director (Agronomy) Tirhut Division, Muzaffarpur
4. The Assistant Director Horticulture, Muzaffarpur
5. The District Horticulture Officer, Muzaffarpur
6. The Block Horticulture Officer, Muzaffarpur
7. M/s Krishna Kumar and Associates, Chartered Accountant, Ramni Mohan Garden, Kalambagh Road, Muzaffarpur, Pin-842002

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Prashant Sinha, Advocate

For the Respondent/s : Mr. Sarvesh Kumar Singh, AAG 13

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-02-2021

Undisputedly, appellant was engaged by a private agency for undertaking certain works of the Bihar Bagwani Vikas Society, Patna assigned task of undertaking certain projects with the Department of Horticulture, Government of Bihar. The said projects were under the Bihar State Horticulture



Mission.

Accountants purely on the basis of outsourced basis were engaged and posted in different Districts. In fact, their letter of posting itself clarified that their engagement is not by or with the Government or the Society, but that with a private firm. In fact, appellant's engagement letter was issued by one M/s Krishna Kumar & Associates, a firm of Chartered Accountant.

In this view of the matter, the learned Single Judge rightly dismissed the writ petition holding the appellant's disengagement on account of dereliction of duty not to be justiciable by a Writ Court.

No other point stands raised by the learned counsel for the appellant.

For the aforesaid reasons, the present Letters Patent Appeal is dismissed challenging the judgment dated 1st March, 2019 passed in CWJC No.3884 of 2019, titled as **Chetan Kumar Madhurya Vs. The Bihar State Horticulture Development Society and ors.** dismissing the writ petition filed by the appellant challenging the order dated 16.01.2019 passed by the Mission Director, Bihar State Horticulture Mission whereby the services of the appellant as an Accountant has been terminated (Annexure-9-A to the writ petition).



Interlocutory Application, if any, shall stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

sujit/-

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