

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1 of 2022

In

Civil Writ Jurisdiction Case No.13648 of 2021

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Raj Kumar S/o Anil Kumar Sahni R/o Juran Chhapra Lane No. 4, P.O. -
M.I.T., P.S.- Brahmpura, District - Muzaffarpur.

... .. Appellant/s

Versus

1. The State of Bihar Represented through the Principal Secretary, Planning and Development Department, Bihar, Patna.
2. The Principal Secretary, Cabinet Secretariat Department, Bihar, Patna.
3. The Secretary, Cabinet Secretariat Department, Bihar, Patna.
4. The Development Commissioner, Bihar-Cum-Chairman, Up Mission Cum Appellate Authority, Bihar Vikash Bhawan, Patna.
5. The Chief General Manager, Bihar Vikash Mishan, Rajbanshi Nagar, Patna.
6. The District Magistrate, Patna.
7. The Deputy Development Commissioner, Patna.
8. The Deputy Collector cum Nodal Officer, Patna.
9. The District Planning Officer, Patna.
10. The Manager, District Registration and Counseling Centre, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Manoj Kumar Manoj, Adv.
For the Respondent/s : Mr. Sanjay Prasad, AC to AAG4

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

and

HONOURABLE MR. JUSTICE NAWNEET KUMAR

PANDEY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 20-12-2022

Heard Mr. Manoj Kumar Manoj, learned

advocate for the appellant and Mr. Sanjay Prasad for the

State.



The appellant was appointed on contractual basis and his service was to continue till 27.11.2019.

It appears from the records that the appellant absented himself without any reason for two days i.e. on 16.07.2019 and 17.07.2019 whereafter he submitted his resignation on 22.07.2019.

The appellant appears to have withdrawn his resignation on 25.07.2019.

The impugned order rejecting the prayer of the appellant for issuing a writ for setting aside the order dated 16.06.2021 passed by the Development Commissioner cum Chairman cum Appellate Authority as also the order dated 02.11.2020 passed by the Chief General Manager, Bihar Vikas Mission, Patna terminating the services of the appellant does not require any interference and the learned Single Judge has rightly dismissed the writ petition.

We further find that the learned Single Judge has directed the respondents to calculate the arrears of pay of



the appellant till 27.11.2019, till which date, the contract with the appellant subsisted and to disburse the same to the appellant within a period of two months. Nothing could be directed otherwise.

There is no merit in this appeal.

The appeal is dismissed.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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