

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 17450 of 2018

Prabhas Kumar Jaiswal S/o Late Srideo Prasad Jaiswal, R/o Dharhara, P.O.-
Banmankhi, P.S.- Banmankhi, District- Purnia- 854202.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Rural Development
Department, Government of Bihar, Patna
2. The District Magistrate, Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr Fazle Karim, Advocate
For the Respondent/s : Mr Rewti Kant Raman, AC to SC XI

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 23-11-2022 Heard learned counsel for the petitioner and the
respondents.

The petitioner is aggrieved by exercise of discretion for cancelling his selection as Programme Officer for implementation and execution of schemes under the Mahatma Gandhi National Rural Employment Guarantee Act, 2005. The order has been passed after following the prescribed procedure, which fact is not in dispute. It is, however, submitted that the deficiency in creation of man days, as alleged, is incorrect. The petitioner has taken all care and, therefore, his selection as Programme Officer on contract basis should not have been cancelled.

The learned State Counsel submits that within the



scope of judicial review, no case has been made out.

Considering the rival submissions, this Court would find that the submission of the learned State Counsel, in so far as the scope of judicial review is concerned, is correct. The same is limited to the decision making process and not the decision itself. That being so and having regard to the petitioner's existence being contractual, there is no occasion for this Court to interfere with this order.

Writ petition is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

U			
---	--	--	--

