

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14811 of 2018

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Sunil Kumar Das, S/o Bideshi Das, resident of village - Bijaynagar, P.S. - Banka, District Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
3. The Director, Mid-Day Meal Scheme, Human Resources Department, Govt. of Bihar, Patna.
4. The District Magistrate, Banka.
5. The District Programme Officer-cum-In Charge Mid-Day Meal Scheme, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh, Advocate
For the Respondent/s : Mr.Vivek Anand Amritesh, AC to SC28

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 17-10-2022 The petitioner has admittedly been terminated after conviction in Sessions Trial No.111 of 2007 and Sessions Trial No.396 of 2008 by the Court of Learned Ad hoc Additional Sessions Judge I, Banka.

Learned counsel for the petitioner submits that upon his conviction, he was taken into custody on 20.12.2016. Whereafter, the sentence was suspended and he was allowed bail under Order dated 16.02.2017 passed in Criminal Appeal (SJ) No.237 of 2017 by a Bench of this Court. He has submitted his application for continuing the earlier contractual employment before the Bihar State Midday Meal Committee,



however, the same has not been accepted.

There is total lack of details in the writ petition regarding the petitioner's initial engagement on contractual basis, the terms of contract and the period of the same.

In absence of such pleading in the writ petition, this Court is not in a position to appreciate that the petitioner's contractual engagement would be subsisting after passing of the impugned order way back in 2017. That apart, the impugned order dated 09.10.2017 contains a stipulation which reads as follows:-

"अतएव माननीय न्यायलय द्वारा आपको दोषमुक्त किये जाने के उपरांत ही आपके अपील आवेदन पर अग्रेत्तर विचार किया जायेगा। "

In view of the aforesaid facts no case is made out for interference.

Writ petition is dismissed.

(Madhuresh Prasad, J)

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