

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15295 of 2018

=====

Pramod Kumar, Son of Sri Ram Naresh Prasad, Resident of Hansepur, P.S. Aungari Pir Bigaha District- Nalanda at Present residing at Patel Nagar, North, Badhaitola, Near Gayatri Temple, P.O. and P.S. Islampur, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Mines and Geology Department, Bihar, Patna.
2. The Principal Secretary, Mines and Geology Department, Government of Bihar, Patna.
3. Additional Secretary, Mines and Geology Department, Government of Bihar, Patna.
4. The Under Secretary to Government, Mines and Geology Department, Government of Bihar, Patna.
5. The Competent Authority, District Mining Office, Jehanabad.

... .. Respondent/s

=====

Appearance :

For the Petitioner	:	Mr.Durga Nand Jha, Advocate
For the State	:	Mr.Gyan Prakash Ojha, GA7
		Mr.Uday Shankar Pandey, AC to GA7
For Mines & Geology Department	:	Mr.Naresh Dikshit, Advocate
		Mr.Utsav Anand, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 01-11-2022 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is aggrieved by termination of his contractual existence.

Learned counsel for the petitioner submits that the petitioner was engaged in contract basis and posted by Annexure-4, which is dated 30.11.2017, as 'Mining Development Officer'. The submission is that the said services has been brought to an end on 18.03.2018; and that the



petitioner, who is a contractual employee, has been replaced by another contractual employee the very next dated i.e. on 19.03.2018 under office order bearing memo no.1526, issued by the Department.

The submission of the petitioner's counsel, based on the averments made in the writ petition and supplementary affidavit, is unsustainable. It is the petitioner's case that the contractual engagement was based on a roaster and the petitioner has been engaged against a category of BC-2, whereas the appointments which he submits are in his place dated 19.03.2018 are unreserved category contractual appointees. Submission that he has been replaced by another contractual employee, therefore, is clearly unsustainable.

Having considered the said submission, this Court would further find that the petitioner's engagement and posting under the order dated 30.11.2017 was only for a period of six months. No relief, therefore, can be claimed in the above noted facts and circumstances.

Writ petition is dismissed.

(Madhuresh Prasad, J)

shashank/-

U			
---	--	--	--

