

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18829 of 2016

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Ravi Shankar Kumar Sinha Son of Late Sameshwar Prasad, resident of Mohalla - Awadhपुरi, Road No. 4 Chandawa Morh Ara, P.S. Ara Nawada, District - Bhojpur Ara

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director Account Administration and Self Employment District Rural Development Authority Bhojpur
3. The State Project Director Bihar Education Project Council Education Bhawan, Patna - 4
4. The District Collector, Bhojpur at Ara
5. The District Education Officer, Bhojpur at Ara
6. The Deputy Development Commissioner, Bhojpur at Ara
7. The District Programme officer Establishment , Bhojpur at Ara

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Maya Shankar Mishra, Advocate
For the State	:	Mr.Madanjit Singh- GP 20
For the BEPC	:	Mr. Girijest Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 18-05-2022

Heard learned counsel for respective parties.

In the instant petition, petitioner has prayed for the following reliefs:-

“For quashing the office order bearing Memo No. 2126 Bhojpur dated 15.06.2016 issued under the signature of District Education Officer, Bhojpur whereby and whereunder the petitioner has been removed/terminated from the post Data Entry Operator with immediate effect illegally and arbitrary manner by violation of the principle of natural justice and further for issuance of a direction upon the respondent to reinstate the petitioner on his post with all legal and con-



sequential benefits attached to the said case from the date of the issuance of the said order.”

Petitioner was appointed as Data Entry Operator on contract basis in the year 1998. It was renewed from time to time and the renewal was made upto 31st March, 2015, thereafter, in the absence of specific order petitioner was continued in service. The official respondents have taken note of petitioner's work and it was not satisfactory, therefore, notice was issued to the petitioner, thereafter, proceeded to terminate the services of the petitioner on 15.06.2016.

Learned counsel for the petitioner vehemently contended that no reasons have been assigned in the order of termination, therefore, the petitioner is entitled to know the reason as to why his services have been terminated.

Per contra, learned counsel for the respondents contended that in the absence of renewal of his tenure contract appointment beyond 31st March, 2015 petitioner is not entitled to continue in service. However, he was continued in service in the absence of specific order of renewal. Therefore, formalities of notice were issued before his termination. Perusal of record and his work was not satisfactory, thereafter, notice was issued and order of termination was passed. Therefore, there is no infirmity in the order



of termination read with the status of the petitioner that he is seized to be Data Entry Operator as on 31st March, 2015.

Heard learned counsel for respective parties.

Crux of the matter in the present petition is whether petitioner is entitled to know the reason for his termination and is he entitled to domestic inquiry before his termination or not?

Undisputed facts are that the petitioner was working as Data Entry Operator from the year 1998 and it was renewed from time to time and such renewal was upto 31st March, 2015. In the absence of specific order of renewal, the petitioner continued in service beyond such renewal. During the intervening period from 31st March 2015 till date of termination on 15.06.2016, the official respondents have taken note off petitioner's unsatisfactory work, in the result notice was issued for termination and termination order was passed on 15.06.2016.

In the light of these facts and circumstances, reasons are not warranted in the termination order, since, petitioner's renewal of contract appointment was upto 31st March, 2015. Petitioner has not made out a case to obtain extension of contract appointment beyond 31st March, 2015 and so also has not filed a petition before this Court seeking direction to the official respondents to renew his contract appointment beyond 31st March, 2015.



In the light of the aforesaid, the petitioner has not made out a case. Hence, the petition stands dismissed.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

