

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 20384 of 2018

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Sunil Kumar Bharti Son of Sukhil sah. Resident of Hamichak Patna, P.S. Anisabad, District-Patna. the Terminated Computer Operator of Bihar Building Construction, Magadh Division Camp Dehri-on-Sone.

... .. Petitioner/s

Versus

1. The Bihar Police Building Construction Corporation, Kautilya Nagar, Patna - 14
2. The Director General Cum Chairman Cum Managing Director of Bihar Police Building Corporation, Kautilya Nagar, Patna - 14
3. The Secretary of Bihar Police Building Corporation, Kautilya Nagar, Patna-14.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Chandra Bhushan Das, Advocate
For the Respondent/s : Mr Prasoon Sinha, Advocate

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioner and the respondents.

Petitioner's contractual services as Computer Operator has been brought to an end by the impugned order/s.

Petitioner's counsel submits that merely on the basis of a show cause, the petitioner has been visited with stigma on account of the findings recorded in the order. He submits that under compulsion, the petitioner had discharged some duties other than his contractually defined duties and so there is no basis for the allegations and also that termination is without any opportunity of hearing.



Mr Prasoon Sinha, learned counsel for the Corporation submits that in view of the admission recorded in office order dated 13.04.2018 that the petitioner has discharged duties other than contractually defined duties, the order does not require any interference.

The so-called admission, being relied upon by the Respondent-Corporation has to be viewed, and if at all accepted, in the context in which the petitioner had made the statement, being under compulsion.

Be that as it may, since the petitioner has been visited with stigma, merely based on an explanation which may also disentitle him for future engagement, this Court would observe that the impugned order shall not carry any stigma for the petitioner's future.

Writ petition is disposed of.

(Madhuresh Prasad, J)

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