

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8083 of 2021

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Vishal Ranjan Son of Sri Ranjan Prabhat Resident of Maa Sai Niwash,
Behind Sadanichak Middle School, Khaira Toli, Road No. 1, P.S. - Parsa,
District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of Health, Bihar
2. The Principal Secretary Department of Health, Govt. of Bihar, New Secretariat, Patna
3. The Principal Secretary, Cabinet Secretariat Department, Old Secretariat, Patna Govt. of Bihar, Patna
4. The Development Commissioner, Old Secretariat, Bihar, Patna
5. The Rajya Swasthya Sammittee, North Shashtri Nagar, Kahjpura, Patna
6. The District Swasthya Sammittee, Katihar
7. The District Magistrate, Katihar
8. The Deputy Development Commissioner, Katihar
9. The Chief General Manager, Bihar Vikash Mission, Rajbanshi Nagar, Patna

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... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Mrs. Mohini Kumari
For the Respondent/s : Mr. Lalit Kishore (Ag)

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

Date : 14-02-2022

The matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. In the instant petition, petitioner has prayed for the following relief/relies:

“(i) For issuance of an appropriate writ/writs in the nature of Certiorari to quash the Order *vide* Memo No. 120



dated 17.02.2021, passed by the Development Commissioner-Cum-Chairman, Up-Mission-Cum-Appellate Authority, Bihar Development Mission, Patna and the Memo No. 593 dated 22.05.2020, passed by the Chief General Manager, Bihar Vikash Mission and the Memo No. 876 dated 29.09.2020, passed by the Chief General Manager, Bihar Vikash Mission, Patna as contained in Annexures 2 to 4 of this Writ Petition.

(ii) For further issuance of an appropriate Writ, Order or direction to the Respondent No. 9 to reinstate the petitioner into his service as he has been removed from his Work/Service, without following the Principle of Natural Justice.

(iii) For issuance of an appropriate Writ, Order or direction to the respondent No. 9 to remove the conditions which has been wrongly imposed upon the career of the petitioner which is a stigma/blot upon the fair career of the petitioner.

(iv) For issuance of an appropriate Writ, Order or direction commanding the respondents to give the petitioner his long awaited dues of salary and other benefits which has wrongly been stopped by the respondents.

(v) For further issuance of an appropriate Writ or Order for giving any other relief or reliefs to which the petitioner is legally entitled in the facts and circumstances of the case.”

3. The petitioner was initially appointed on contract basis and it was a tenure appointment. As the tenure was completed, petitioner's services have been displaced. In the light of these facts and circumstances, question of interference with the impugned order Memo No. 120 dated 17.02.2021 read with Memo No. 593 dated 22.05.2020 and Memo No. 876 dated 29.09.2020 cannot be examined on the score that unless petitioner has a statutory right



under any provision of law. Moreover, petitioner was not appointed on permanent basis after due selection process. Therefore, no vested and legal right is vested on the petitioner. Hence, petition stands dismissed.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

