

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10795 of 2020

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Dhananjay Kumar Son of Late Muneshwar Singh, Resident of Ward No. 1
Lalsahpur, P.O. Nehalpur, P.S. Sadar, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through the Add. Chief Secretary, Revenue and Land Reforms, Govt. of Bihar, Patna.
2. The Director, Land Records and Survey, Bihar, Patna.
3. The Commissioner, Darbhanga.
4. The Collector, Darbhanga.
5. The Additional Collector (estb.), Darbhanga.
6. The Land Reforms Deputy Collector (LRDC), Darbhanga.
7. The Anchal Adhikari Sadar Darbhanga, District Darbhanga.
8. Anchal Adhikari, Gaurabauram, District Darbhanga.
9. Arun Kumar Saksena, the Anchal Adhikari Sadar Darbhanga, District Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Narayan
For the Respondent/s : Mr. Rishi Raj Sinha, SC 19

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

Date : 12-01-2022

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/reliefs:

“That this petition on behalf of the above named
petitioner, is being filed for issuance of writ of appropriate
nature, order or direction quashing order contained in Memo
No. 680 dated 13.6.2020 issued under the signature of the
Collector Darbhanga, whereby and where under the Collector
Darbhanga has removed petitioner from the post of Data Entry



Operator, Sadar Block Darbhanga with immediate effect, without any notice/ showcause or any opportunity to the petitioner. The petitioner, who has continued on this post since 2011 without any complaint or finding anything against him has been removed from the post in an arbitrary and unreasonable way, in an action taken on an unsigned and unacknowledged petition dt. 6.03.20 filed in janta Darbar.

The petitioner also prays for issuance of writ of appropriate nature, order of directions commanding respondent no. 3 (the Commissioner Darbhanga) to make enquiry personally within time frame fixed for it by this Hon'ble Court on the representation and appeal dt. 18.06.2020 filed by the petitioner.

The petitioner also prays for consequential reliefs for extending continuity of service and salary of the period, petitioner could not perform his duty. The respondent No. 2 by the order dt. 27.07.2020 has transferred him from Darbhanga Sadar Anchal to Gauraboram Anchal, of Darbhanga district but he is not being allowed to join and work on his transferred place.”

3. It is surprising that an employee's services have been terminated while he was working in place and, thereafter, without there being withdrawal or modification of termination order services have been transferred from Darbhanga Sadar Anchal to Gauraboram Anchal of Darbhanga In this regard, petitioner stated to have submitted appeal before the Appellate Authority. The Appellate Authority has not rightly taken a decision of either accepting or rejecting petitioner's appeal, therefore, the Appellate Authority is hereby directed to decide the petitioner's appeal after giving ample opportunity of hearing to the petitioner within a period of three months from the date of receipt of this order.



4. With the above observation, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	19.01.2022
Transmission Date	

