

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 104 of 2022

=====

Esha Ali, son of Md. Alam Gadi, Resident of Bada Bazar, Ward No. 12, P.S.-
Mohania, District-Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Urban Development and Housing Department, Bihar, Patna.
2. The Executive Officer, Nagar Panchayat, Mohania, District-Kaimur.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr Vijaya Laxmi Srivastwa, Advocate
For the Respondent/s : Mr Ravish Chandra, AC to SC VI

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner and the respondents through Virtual Mode.

The petitioner claims to have been selected on contractual basis as Community Organizer for discharging certain duties under the Deen Dayal Antyodaya Yojna – National Urban Livelihood Mission by the Nagar Panchayat, Mohania in the district of Kaimur by order dated 16.11.2018, for a period of 11 months. His contractual services have been brought to an end, just one month thereafter, i e, 24.12.2018. The reason assigned is suppression of pendency of a criminal case.

The petitioner's counsel submits that the said order is unsustainable. The petitioner was duly qualified in terms of the



Advertisement (Annexure P/1) pursuant to which he had made his application and, therefore, the order dated 24.12.2018, terminating his contractual services, is unsustainable.

Mr Ravish Chandra, learned AC to SC VI submits that it is admitted case of the petitioner, from perusal of the writ proceedings, that the contractual period was to lapse in October, 2019. The writ petition has, however, been filed belatedly much after lapse of the 12 months period for which the petitioner was contractually appointed by Annexure P/2 dated 16.11.2018.

Considering the rival submissions, this Court would find that the petitioner has approached this Court much after lapse of the contractual period for which he was appointed. It is a clear case of delay and laches and, therefore, this Court is not inclined to exercise discretionary writ jurisdiction in favour of the petitioner, who has approached this Court nearly three years after lapse of the contractual period for which he was selected.

Writ petition is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

U			
---	--	--	--

