

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1929 of 2023

Chand Akhtar, S/o Abid Ansari, At- Kochas, P.S.- Kochas, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
2. Manager, Bihar State Electronics Development Corporation Limited, At- Beltron Bhawan, Shastri Nagar, Patna, P.S.- Shastri Nagar, District- Patna.
3. District Magistrate, Rohtas, Sasaram Collectorate Compound, Sasaram.
4. District Programme Officer, Rohtas, Sasaram.
5. Child Development Officer, Nawhatta, Rohtas, Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar Singh, Advocate
For the Respondent/s	:	Ms. Binita Singh (SC-28)
		Mr. Vivek Anand Amritesh, AC to SC-28
		Mr. Girijish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

- 3 03-07-2023 1. The petitioner's services were sent to the office of the District Magistrate, Rohtas by the Bihar State Electronics Development Corporation Ltd. (Beltron) on contractual basis. The agreement, based on which the services have been sent to the office of District Magistrate, are between the Beltron and the District Magistrate, Beltron being the agency to which the Government has outsourced the supply of manpower for data entry.
2. Learned counsel for the State submits that the petitioner has no privity of contract with the District Magistrate. He, thus, has no locus to assail order dated 31.05.2022 passed



by the District Magistrate, Rohtas (Sasaram), relieving the petitioner from his contractual duties as Data Entry Operator. He also submits that the order of relieving of contractual services of May, 2022 has belatedly been assailed by the petitioner by way of instant writ petition filed in February, 2023, more than 8 months after he was released.

3. Be that as it may, since the petitioner has no privity of contract with the District Magistrate, the District Magistrate also could not have commented upon the petitioner's performance in the order dated 31.05.2022. The order is stigmatic and has the effect of visiting the petitioner with civil consequences, jeopardizing his future prospects.

4. This court would also find that the order is not preceded by compliance with principles of natural justice. The same visits the petitioner with civil consequences and as such, is not sustainable. Insofar as the stigma in order of the District Magistrate dated 31.05.2022, this court would hold that the same shall have no adverse effect on the petitioner's future prospects.

5. Writ petition is accordingly allowed.

(Madhuresh Prasad, J)

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