

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6342 of 2023

Subodh Kumar Singh S/o Late Jitendra Singh, R/o Lakath Chapra, P.O.-
Jogiya, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, New Secretariat, Patna.
2. District Co-operative Officer, Saran.
3. Assistant Registrar Co-operative Department, Saran.
4. Joint Registrar-Co-Operative Department, Saran Pramandal, Chapra.
5. Block Development Officer, Ekma, District- Saran.
6. Block Co-Operative Officer, Ekma, District- Saran.
7. District Magistrate, Saran.
8. Chairman Rasulpur PACS, Block Ekma, District- Saran.
9. Shashi Bhushan Singh S/o Bachcha Singh, R/o Village- Lakat Chapra, P.O. Yogiya, District- Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1, Adv.
For the Respondent/s : Mr. Mahendra Prasad Verma, SC-20

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 29-08-2023

Heard Mr. Ajay Kumar Singh No.1, learned counsel
for the petitioner and Mr. Mahendra Prasad Verma, learned
counsel for the State.

2. The petitioner by filing the present writ application
under Article 226 of the Constitution of India, is seeking a
direction upon the respondents to allow him to work on the post
of Manager, Rasulpur PACS, Block-Ekma, District-Saran, as he
was duly appointed on 20.05.2007 on the post of Manager by



the Chairman of the PACS and, thereafter, on 09.11.2014, he was directed to continue on the post of Manager by the competent authority.

3. Learned counsel for the petitioner contended that the petitioner has been discharging his duties to the entire satisfaction of the Chairman of Rasulpur PACS since 20.05.2007 and now he has been removed without giving any notice or any opportunity of hearing. He further contended that any order, whatsoever, causing any prejudice to the right and entitlement of a person must be in consonance with the principle of natural justice and, as such, on this score alone, the impugned dis-engagement of the petitioner is bad in law.

4. Per contra, learned counsel for the State while refuting the contentions of the petitioner, submits that from perusal of Annexure-1 and the materials available on record, it would manifest that the petitioner was appointed on temporary basis to the post of Manager by the then Chairman of Rasulpur PACS under local arrangement on the basis of fixed honorarium of Rs.1000/-. He further submits that as the petitioner was not appointed by following any due process of regular appointment by the competent authority, he is neither entitled to regularize nor by working under a local arrangement he acquires any right



to challenge his dis-engagement as the very engagement of the petitioner was at the pleasure of the Chairman of the Rasulpur, PACS. He next submits that as the engagement of the petitioner was not extended taking into consideration his nature of service, hence, the present writ application has no merit and fit to be dismissed.

5. Considering the submissions made on behalf of the parties and taking into consideration the nature of engagement; which was completely an internal arrangement, temporary in nature on the honorarium basis, no right has been created in favour of the petitioner, the present writ application sans any merit and is dismissed accordingly.

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30-08-2023
Transmission Date	

