

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1096 of 2020

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Barindra Singh, S/o Late Ram Ekwil Singh, Resident of Village- Manchi, P.S.
Belsand, District- Sitamarhi (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar Through the Secretary, Department of Animal Husbandry, Govt. of Bihar, Patna.
2. The Director, Department of Animal Husbandry Govt. of Bihar, Patna.
3. The Regional Director, Animal Husbandry (Central Region) Patna.
4. The Special Officer, Intensive Animal Development Project, Sasaram, District- Rohtash.
5. The Veterinary Medical Officer, Intensive Animal Development Project, Akbarpur, Rohtash.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Tejendra Sinha
For the Respondent/s	:	Mr. Md. Khurshid Alam (Aag12)
		Mr. Nutan Sahay, AC to AAG 12

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 13-10-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner submits that the present application has been filed to set aside the order dated 01.08.2018 contained in Memo No. 2441(NI) (Annexure-8) of the present writ petition. Counsel further submits that petitioner was working against the vacancy of Pashudhan Sahayak within the Department of Animal Husbandry, Government of Bihar vide order no. 26 dated 18.03.1993 issued under the signature of Regional Director, Animal Husbandry, Government of Bihar.



3. Counsel submits that after getting the job to the satisfaction of the authorities, he was transferred from the post of Pashudhan Sahayak to Laboratory Assistant, Artificial Reproduction System, Bikramganj under the Semen Bank for further orders. Counsel submits that a show cause notice was issued which was served upon the petitioner under the signature of Regional Director, Central Zone, Patna as to why the service of the petitioner shall not be terminated as his service was made purely on Ad-hoc basis.

4. In reply to the said show-cause, the petitioner has placed his defence before the Regional Director but none of the point was considered and his representation has been rejected which is under challenge before this Court. Counsel submits that petitioner has worked for three years and a sympathetic view should be taken.

5. Counsel for the State has submitted that counter affidavit has been filed in this case in which reasoned order has been passed and the defense has been taken in the light of the decision taken by the Full Bench of this Hon'ble Court in C.W.J.C. No. 12904/2014, and thereafter, some similarly situated persons has preferred S.L.P. which was dismissed about which the detailed discussion has been made in the order



impugned.

6. Considering the pleadings and arguments of both the parties, it is clear to this Court that the issue which has been raised in the present writ petition for other persons has already been tested before Hon'ble the Supreme Court in S.L.P. No. 36189 of 2014, 9389 of 2015 and S.L.P. 9772 of 2015 and was dismissed vide orders dated 02.03.2015, 01.04.2015, 21.08.2018.

7. In this view of the matter, this Court finds no merit in this case, and therefore, this writ petition is dismissed.

(Dr. Anshuman, J.)

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