

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9363 of 2016

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Savita Trivedi Wife of Om Satyam Trivedi, Resident of Village Raniganj, P.S. Imamganj, District Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Department of Agriculture, Govt. of Bihar, 3rd floor, New Secretariat, Patna.
2. Chief Executive Officer, B.W.D.S. (SLNA), Bihar, Patna, Vikash Bhawan, New Secretariat, Patna.
3. Director, Soil Conservation-cum-Deputy Chief Executive Officer, B.W.D.S. (SLNA) Bihar, Patna, Vikash Bhawan, New Secretariat, Patna.
4. Secretary, Department of Agriculture, Government of Bihar, 3rd Floor, New Secretariat, Patna.
5. District Magistrate, Gaya.
6. District Agriculture Officer, Gaya.
7. District Soil Conservation Officer, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subhash Chandra Bose, Advocate
For the Respondent/s : Mr. Arvind Kr. No -1, SC-13

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 15-01-2024

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

2. The writ petition has been filed for setting aside Annexure-2 issued from the office of Respondent No. 2 by which the petitioner was allegedly removed from the post of Social Mobilization and Institutional Building Expert and also further direction to the Respondent No. 5 to reappoint the petitioner.



3. Learned counsel for the petitioner submits that the petitioner was appointed on the post of Social Mobilizer and Institutional Building Expert, Imamganj, Gaya vide letter no. 201/SC Gaya dated 28.12.2012. Thereafter, the petitioner performed duties honestly but without verifying and without asking from the petitioner. The District Soil Conservation Officer, Gaya (respondent no. 7) had submitted a report dated 28.01.2014 to the Director, Soil Conservation-cum-Deputy Chief Executive Officer, Vikash Bhawan, New Secretariat, Patna (respondent no.3) that the petitioner and some others had not performed their duties satisfactorily and they have failed to get accounts of social ladies opened in Bank in terms of the scheme.

4. Thereafter, the petitioner has filed a representation and all of a sudden on 18.02.2014 the petitioner received a letter issued by the Chief Executive Officer, BWDS (SLNA), Bihar (respondent no. 2) by which the petitioner was removed from the post in question.

5. Learned counsel for the State has referred Annexure-1 i.e. appointment letter of the petitioner and he has referred the Period, Terms & Condition which is hereinbelow:

“1. The period of contract would be for one year, starting from the date of your joining report. The



contract will automatically conclude on completion of one year.

2. However, based on the performance, the contract can be further renewed with mutual consent.

3. You will be on probation for six months.

4. The contract can be terminated by either side with one month prior notice.

5. You will be governed by overall contract service rules of Soil Conservation Officer/GENERAL Administration Dep't., GoB.

6. You will have to obey the orders, rules of PIA, BWDS, DNA, WCDC & State Govt.

7. You are not eligible or entitled for any other allowances or claims from Soil Conservation Officer/State Govt.

8. You will not claim for regularization of service or preference at any point of time either in BWDS/Agriculture Deptt. GoB/DoLR, MoRD, New Delhi.”

6. Apart from that, learned counsel for the State submits that the respondent no. 3 had directed the District Magistrate, Gaya (respondent no. 5) vide letter no. 599 dated 28.08.2015 to get the matter enquired afresh and submit a report and pursuant to the aforesaid letter the Senior Deputy Collector-cum-Incharge Officer, District Public Grievance Cell, Gaya has submitted an enquiry report to the District Magistrate, Gaya (respondent no. 5) and from perusal of the enquiry report of the Enquiry Officer, it appears that



the petitioner had given reasonable opportunity of being heard and thereafter the order was passed and pursuant to the report, the District Magistrate-cum-Chairman, District Watershed Committee, Gaya (respondent no. 5) has directed to take necessary action in the light of the report and pursuant to that the petitioner has been removed from the post of Social Mobilization and Institutional Building Expert.

7. In view of the aforesaid, there is no infirmity in the order and it appears from the appointment letter of the petitioner that the appointment was only on contract basis for the period of one year and after one year even the contract of the petitioner was not renewed and hence he has not right to continue to work on the post in question.

8. There is no merit in the writ petition and accordingly it is dismissed.

(Rajesh Kumar Verma, J)

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AFR/NAFR	NAFR
CAV DATE	N.A.
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