

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.147 of 2022

In

Civil Writ Jurisdiction Case No.8083 of 2021

Vishal Ranjan S/o Shri Ranjan Prabhat, resident of Maa Sai Niwash, behind Sadanichak Middle School, Khaira Toli, Road No. - 1, P.O. - Mittan Chak, P.S. - Parsa, District - Patna.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Health, Govt. of Bihar, New Secretariat, Patna.
3. The Principal Secretary, Cabinet Secretariat Department, Old Secretariat, Patna, Govt. of Bihar, Patna.
4. The Development Commissioner, Old Secretariat, Bihar, Patna.
5. The District Magistrate, Katihar.
6. The Deputy Development Commissioner, Katihar.
7. The District Swasthya Samittee, Katihar.
8. The Rajya Swasthya Samittee, North Shashtri Nagar, Khajpura, Patna.
9. The Chief General Manager, Bihar Vikas Mission, Rajvanshi Nagar, Patna-800023.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shri Prakash Srivastava, Advocate
For the Respondent/s : Mr. S. D. Yadav (AAG-9)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 03-10-2024

The appellant is before us aggrieved by the judgment of the learned Single Judge, which refused to interfere with the severance of service on the ground that it was a contractual appointment that too for a specific period.

2. The learned Counsel for the appellant asserts that



he was appointed for an eleven month tenure and though he submitted his joining on 05.08.2019, he stood terminated on 22.05.2020, without any show-cause notice and that too within the period of his tenure.

3. Despite the Counsel asserting that the tenure was for eleven months, there is nothing produced, on record, to show that the tenure was eleven months. It is admitted that it was a contractual appointment.

4. In such circumstances, we find that even if it was for eleven months, the petitioner filed the writ petition in the year 2021, after the expiry of his tenure. As of now, there is no ground for restoration, especially in a contractual employment which was also for a specified tenure, which has long expired, as of now.

5. We find absolutely no reason to interfere with the impugned judgment and hence, the appeal stands dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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