

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6859 of 2022

=====

Rajiv Kumar S/o Sri Banaras Prasad Village- Bhoram Bagh, P.O.- Itpakawa,
P.S.- Kawakol, District- Nawada, Pin Code- 805106.

... .. Petitioner/s

Versus

1. State of Bihar through the Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
2. Principal Secretary-cum-Chairman, Patna Smart City Limited, Patna.
3. Patna Smart City Limited through its Managing Director, Patna Smart City Limited, Maurya Lok Complex, Patna.
4. Managing Director, Patna Smart City Limited, Maurya Lok Complex, Patna.
5. Company Secretary, Patna Smart City Limited, Maurya Lok Complex, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sanket, Adv.
For the State	:	Mr. Ravish Chandra, AC to SC-6
For the Patna Smart City Ltd.	:	Mr. Dinesh Shankaran, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-01-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). Issuance of appropriate writs/orders/directions for quashing/setting aside the Office Order contained in letter no. 4841 dated 22.04.2022 passed by the Managing Director, Patna Smart City Limited whereby and whereunder the employment contract of the petitioner has been terminated on the basis of decision taken by the Board of Directors in 22nd meeting dated 07.04.2022.

(ii). Issuance of appropriate writs/orders/directions commanding the



respondents to bring on record the minutes of meeting dated 07.04.2022 of the Board of Directors and then to set aside the decision taken by the Board of Directors in the said 22nd meeting dated 07.04.2022 whereby the Board has decided to terminate the services of the petitioner.

(iii). Issuance of appropriate writs/orders/directions for directing the respondents to reinstate the petitioner on the position as held by him treating him before termination and to treat him in continuous service with all the consequential service benefits dues/accrued/accruing to the petitioner alongwith salary for the interregnum period.

(iv). Issuance of appropriate writs/orders/directions for directing the respondents to extend the service of the petitioner from due date i.e. 30.10.2021 as done in the case of similarly situated employees with all consequential benefits thereof to the petitioner.

(v). Issuance of appropriate writs/orders/directions for staying the operation of impugned order and further restraining the appointing authority Managing Director, Patna Smart City Ltd. not to appoint / engage anyone on the post of the petitioner during the pendency of this writ application.”



2. At the outset, the learned counsel for the petitioner submits that though the impugned order of termination of the service of the petitioner dated 22.4.2022, issued by the Managing Director, Patna Smart City Ltd., does not specifically mention that the termination of the petitioner is on account of any punitive measure, however, it be clarified that the same shall not cast any aspersion on the future career of the petitioner.

3. The learned counsel for the Respondents does not have any objection to the aforesaid submissions made by the learned counsel for the petitioner.

4. Having regard to the facts and circumstances of the case, I deem it fit and proper to direct that the order of termination of the services of the petitioner dated 22.4.2022, as aforesaid, shall not be considered to be casting any aspersion on the future career of the petitioner.

5. Accordingly, the present writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

