

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7400 of 2018

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Umesh Manjhi S/o Bhuneshwar Manjhi R/o Shivalapar, P.S. Neora, Distt-
Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar, through the Secretary, Schedule Caste and Schedule Tribe Welfare Department, Government of Bihar, Block No.4, 2nd floor, behind Sinchai Bhawan, Old Secretariat Campus, Patna.
2. The Bihar Mahadalit Vikas Mission, Sachivalaya Vistarikaran Bhawan, Old Secretariat, Patna.
3. The Mission Director, Bihar Mahadalit Vikas Mission, Sachivalaya Vistarikaran Bhawan, Old Secretariat, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms.Alka Verma, Advocate Ms. Priti, Advocate
For the Respondent/s	:	Mr.Md. Raishul Haque-SC10
For Respondent Nos. 2 and 3:	:	Mr. Rakesh Narayan Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 27-03-2024

Heard learned counsel for the petitioner, learned
counsel for respondent Nos. 2 and 3 and learned counsel for the
State.

2. The present writ application has been filed for
quashing the impugned order contained in letter No. 1549 dated
06.12.2017 (Annexure-4) passed by the Mission Director, Bihar
Mahadalit Vikas Mission by which the petitioner has been
terminated from the post of State Project Manager, Bihar
Mahadalit Vikas Mission.

3. Learned counsel for the petitioner submits that



the order of the termination has been challenged which has been passed completely in violation of the rule on which the petitioner was appointed as the termination can be made only after completion of the period and not prior to that.

3. Learned counsel for the Bihar Mahadalit Vikas Mission on the other hand submitted that the appointment of the petitioner was purely contractual in nature and the terms of the contract has been annexed by the petitioner himself as Annexure -1 to the writ petition. As per clause 8 of the contract the appointment can be terminated by the mission by giving the employee one month's notice to the mission in writing or payment of one month's remuneration in lieu thereof. The employee may also terminate his/her appointment by giving one month's notice to the mission in writing or on payment of one month's remuneration in lieu thereof. He further submits that Clause- 4 of the agreement of the contract stipulates that any wrong/insufficient information or misinterpreted fact shall result in termination. He further submits that the co-ordinate bench of this court has decided a similar issue vide order dated 20.09.2022 in CWJC NO 164 of 2018 (Devjani Kar Vs. The State of Bihar and Others) in which has been held that there is no need for any interference in the said order of termination.



4. In light of the submissions made by the parties, this court is of the firm view that the Bihar Mahadalit Vikas Mission has passed the order completely in accordance with the law. As such, there is no need for any interference and, accordingly, the present writ petition stands disposed off.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	29/03/2024
Transmission Date	NA

