

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7749 of 2016

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Ramsumran Kumar Singh S/o Ramadhar Singh, Resident of Village- Nawla,
P.S.- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Director Land Reforms Department, Bihar, Patna.
4. The District Magistrate D.M., Begusarai.
5. The Additional Collector cum Settlement Officer Land Reforms Settlement
Department, Distt- Begusara
6. The Additional Collector cum Settlement Officer Land Reforms Settlement
Department, Distt- Bhagalpu
7. The Circle Officer, Chhourahi Block, District- Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajkumar Rajesh, Advocate Mr. Girish Chandra, Advocate
For the Respondent/s	:	Mr. Sitaram Yadav, GP 16 Mr. Yatindra Narayan, AC to GP 16

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 30-01-2024

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

2. The present writ petition has been filed for the
following reliefs:-

*“(i) For issuance of a writ in the nature of
certiorari to quash the letter dated
01.04.2015, vide Memo no. 204, issued
under the signature of Authorized officer
settlement office Begusarai whereby where
under the petitioner has illegally been
removed from the post of Amin in malafied,
arbitrary and whimsical manner by which
the right of petitioner have been duly*



affected.

(ii) For that the further direction may be given to restore the petition on the post of Amin, where by way of illegality as without giving any opportunity or show cause passed the order of removed by way of wrong averment, made by the respondent authorities or his own table before passing the above letter is illegal and not sustainable in accordance of law.

(iii) For that the direction may be given to take appropriate action against the respondents so concerned who has not applied his Judicial mind before taking steps against the petitioner arbitrarily through overlooking the facts and circumstances not applicable for the petitioner in this matter and thrown in to unnecessary harassment which is affecting the administration of Justice and rule of law.”

3. Learned counsel for the petitioner submits that the petitioner was removed from services from the post of Amin/surveyor without giving any notice or opportunity to hear the petitioner which is in violation of principle of natural justice. Pursuant to the letter dated 01.07.2009 of the respondent no. 5, the name of the petitioner has been sent for the post of Amin and accordingly the petitioner has been appointed on the said post in question and he has joined the services on 27.05.2010 and thereafter the respondent had issued an advertisement and after the due process of selection the petitioner has been selected and got appointed on the post of Amin on contract basis at the pay scale of Rs. 10,000/- per month in light of the letter of the



respondent no. 6. All of a sudden on 04.04.2015 the petitioner has received a letter issued under the signature of respondent no. 6 by which the petitioner has been removed from the services.

4. Learned counsel for the petitioner further submits that from bare perusal of the impugned letter it appears that pursuant to the order dated 25.03.2015 passed in C.W.J.C. No. 18733 of 2013 and its analogous cases and M.J.C No. 5896 of 2013, the petitioner and other similarly situated persons have been removed from the post in question without giving any show cause notice and without giving any opportunity of hearing which is in violation of principle of natural justice.

5. Learned counsel for the State on the other hand submits that in compliance of the order dated 25.03.2015 passed in M.J.C No. 5896 of 2013 and other connected writ petitions the petitioner has been removed from the post in question and the respondent has taken a policy decision that now the appointment of the Amin be completely to be filled through the Bihar State Staff Selection Commission and for which the requisition has already been sent to the Bihar State Staff Selection Commission.

6. In compliance of the order passed by this Court, the petitioner has been removed from the post in question and



there is no infirmity in the order impugned.

7. Accordingly, there is no merit in the writ petition
and the same stands dismissed.

(Rajesh Kumar Verma, J)

Vanisha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	02.02.2024
Transmission Date	N/A

