

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1223 of 2019

Dr. Sudhakar Thakur Dinanath Thakur Resident of Village Lahsunganj, P.S.-
Simraha, District-Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors through the Principal Secretary, Department of Animal and Fishery Resources, Government of Bihar, Patna.
2. The Secretary, Department of Animal and Fishery Resources, Government of Bihar, Patna.
3. The Director, Animal Husbandry Department, Government of Bihar, Patna.
4. The Jeevika, Bihar Rural Livelihood Promotion Society, State Rural Livelihoods Mission, Bihar, Patna through its State Project Manager-H.R.
5. The Chief Executive Officer, Jeevika, Vidyut Bhawan, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Respondent/s : Mr. Raj Kishore Roy, GP-18

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 06-03-2024 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. This writ petition is filed for setting aside the order contained Memo No. 3535 dated 26.11.2018 annexed as Annexure-7 which is an office order issued from the Office of Secretary, Department of Animal and Fishery Resources Department.

3. Counsel for the petitioner submits that the said letter has been issued without hearing him. He admits that the post for which he appeared was absolutely contractual in nature.



He annexed Annexure-6 where he submits that two other persons have been appointed but no decision has been taken for the petitioner's posting instead thereof Annexure-7 has been issued. Counsel further submits that letter issued is stigmatic and it should be set aside.

4. Counsel for State submits that petitioner was earlier working in the organization namely JEEVIKA with NGO of the State Government and during his working at JEEVIKA there was allegation against him that he has committed some financial irregularities so an order of warning had been passed against him.

5. Upon hearing the parties and going through the documents on record, it transpires to this Court that appointment was purely temporary in nature and on Adhoc basis valid upto 31.12.2020. But there is substance in the argument of the petitioner that the order passed in Annexure-7 (cancellation of the appointment/selection of the petitioner by respondents) is stigmatic and in violation of Nature Justice as not in accordance with law. As the same has been issued without giving ample opportunity of hearing to the petitioner. Therefore, this Court sets aside the order contained in Memo No. 3535 dated 26.11.2018 issued from the Office of Secretary, Department of



Animal and Fishery Resources Department (Annexure-7 to the writ petition).

Accordingly, this writ petition stands disposed off.

(Dr. Anshuman, J)

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