

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1321 of 2019

In
Civil Writ Jurisdiction Case No.9970 of 2019

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Shilpa Kumari D/o Madan Lal Prasad Resident of Mohallah- Shivam Niwas,
S.B.I. Campus, Surhi Tola, Gandhi Chauk, P.O.- Mahendru, P.S.- Pirbahore,
District- Patna, Pin Code- 800006 (Bihar).

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Industry Department,
Govt. of Bihar, Patna
2. The Development Commissioner Govt. of Bihar, Patna
3. The Bihar State Financial Corporation Fraser Road, Patna through its
Managing Director
4. The Managing Director Bihar State Financial Corporation, Fraser Road,
Patna
5. The Deputy Manager (P and A) Bihar State Financial Corporation, Fraser
Road, Patna

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Amaresh Kumar Sinha
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 08-05-2024

The appellant has assailed the order of learned
Single Judge dated 05.09.2019 passed in C.W.J.C. No. 9970 of
2019. Appellant was stated to have been appointed on contract
basis and her services were dispensed before the tenure. Learned
Single Judge has proceeded to dismiss the petition. Hence, the
present L.P.A.



2. Learned counsel for the appellant has not made out a case to the extent that appellant has vested right over the post with reference to initial appointment on contract basis. Hon’ble Supreme Court in the case of *Ganesh Digamber Jambhrunkar & Ors. Vs State of Maharashtra & Ors.* reported in *2023 Live Law (SC) 801* held that contract employee has no vested or legal right to continue to hold the post if the post governed by Article 14 and 16 read with Article 309 of the Constitution. Therefore, the appellant has not made a case so as to interfere with order of the learned Single Judge order dated 05.09.2019 passed in C.W.J.C. No. 9970 of 2019.

3. With the above observation, the present L.P.A. No. 1321 of 2019 stands dismissed.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

alok/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
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