

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.377 of 2023
In
Civil Writ Jurisdiction Case No.18829 of 2016

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Ravi Shankar Kumar Sinha, Son of Late Sameshwar Prasad, Resident of
Mohallah- Awadhपुरi, Road No. 4, Chandawa More, Ara, P.S.- Ara Nawada,
District- Bhojpur (Ara)

... .. Appellant/s

Versus

1. The State of Bihar
2. The Director, Account Administration and Self Employment, District Rural Development Authority, Bhojpur.
3. The State Project Director, Bihar Education Project Council, Education Bhawan, Patna- 4.
4. The District Collector, Bhojpur at Ara.
5. The District Education Officer, Bhojpur at Ara.
6. The Deputy Development Commissioner, Bhojpur at Ara.
7. The District Programme Officer Establishment, Bhojpur at Ara.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Lal Mani Sharma, Advocate
Mr. Sanjay Kr. Ojha, Advocate
Mr. Ved Prakash Chandan, Advocate

For the State : Mr. Apurva Kumar, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 17-02-2025

Re.- I.A. No. 2 of 2023



The learned advocate for the appellant/ applicant presses I.A. No. 2 of 2023 for condoning the delay of eight months and one day in preferring this appeal.

2. For the reasons stated in the application, the delay of eight months and one day in preferring this appeal is condoned.

3. I.A. No. 2 of 2023 stands allowed.

Re : LPA No. 377 of 2023

4. Heard Mr. Sanjay Kumar Ojha, the learned Advocate for the appellant and Mr. Apurva Kumar, the learned Advocate for the respondent-State.

5. The appellant, who was a Data Entry Operator and had joined the Bihar Education Project in the year 1988, continued to work till 31.03.2015. Thereafter, his contract, which was to be renewed yearly, was never renewed. Nonetheless, he continued to remain under employment. However, because of his absence from the place of work, he was issued a show cause notice to which



he had replied. The appellant claims to have been taken ill and was advised bed rest. His services, however, has been terminated on the ground that his work was unsatisfactory.

6. The learned Single Judge did not interfere with such termination order for the reason that the contract of the appellant to continue as Data Entry Operator in the Project, referred to above, ended on 31.03.2015 and it was never renewed.

7. All that the appellant would be entitled to is his remuneration for the period that work was taken from him but about such an entitlement, there is no averment in the writ petition or in the appeal.

8. Considering the fact that the appointment of the appellant was only contractual and the contract had ended on 31.03.2015 whereafter it was never renewed and the termination order was passed on 15.06.2016, no case was made out by the appellant for any interference.

9. The judgment of the learned Single Judge,



therefore, is absolutely justified, requiring no interference
by us.

10. The appeal is dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Rajesh/Saurabh

AFR/NAFR	NAFR
CAV DATE	NA
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