

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.185 of 2024

In
Civil Writ Jurisdiction Case No.5949 of 2019

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Surya Bansh Pal, Son of Late Motilal Pal @ Motilal Resident of Village-
Darihat, P.S.- Darihat, District- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Rural Development, Government of Bihar, Patna.
2. The Principal Secretary, Department of Rural Development, Government of Bihar, Patna.
3. The District Magistrate, Rohtas.
4. The Deputy Development Commissioner, District- Rohtas.
5. The Sub-Divisional Officer, Dehri-On-Sone, District- Rohtas.
6. The Block Development Officer, Akodhi Gola, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Rajendra Narayan, Sr. Advocate Mr. Adesh Raj, Advocate
For the Respondent/s	:	Mr. Anjani Kumar, AAG-4 Mr. Alok Kumar Rahi, AC to AAG-4

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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 : 06-02-2025

Heard Mr. Rajendra Narayan, the learned

Senior Advocate for the appellant and Mr. Anjani Kumar,

the learned Additional Advocate General No. 4 for the

State.

2. The appellant, a contractual employee

posted as Gramin Awas Sahayak, was terminated vide

order dated 08.01.2019, the order having been issued by



the Secretary, Department of Rural Development, Government of Bihar. Prior to that, vide order dated 25.04.2017, the District Magistrate, Rohtas had actually terminated the appellant for having accepted money from Indira Awas beneficiaries.

3. It appears from the records that the appellant was engaged as Gramin Awas Sahayak way back in the year 2014 but within two years, a complaint was received in the office of the authorities regarding his taking money from the beneficiaries. He was put to a show cause notice to which he had replied but ultimately his contractual appointment was terminated. He went before the Appellate Authority, where also he did not succeed. Thereafter, he came before the High Court. This Court remanded the matter to the Appellate Authority again. Thereafter, there was a reconsideration of the grounds raised in defence of the appellant but the order of termination was again thought to be fit and so the same was passed.



4. The learned counsel for the appellant has submitted that it matters not if an employee is a contractual employee, but the concept of justice demands that he be put to the rigors of a thorough departmental proceeding.

5. The other ground of challenge is that different punishments were meted out to different Gramin Awas Sahayaks who were charged with similar offences. Lastly, it was submitted that when the matter was remanded, the report of the S.D.O. was not taken into consideration. These aspects, it was contended, have been completely ignored by the learned Single Judge while dismissing the writ petition of the appellant.

6. On behalf of the State, Mr. Anjani Kumar has drawn the attention of this Court to the fact that the S.D.O.'s report did not give any clean chit to the appellant; rather it was confirmed that the appellant had taken Rs.15,00/- as bribe from one of the Indira Awas beneficiaries but no sooner did he realise that the



information has disseminated to the higher authorities, he returned the amount.

7. We have also taken into account that with respect to same charge, an FIR also was lodged against him but in the said FIR, the appellant has been acquitted.

8. Nonetheless, considering the fact that the appellant is no holder of a civil post and that he was given all opportunities at all stages to explain his cause, we do not find any reason to interfere with the order of the learned Single Judge.

9. The appeal stands dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Saurabh/Rajesh

AFR/NAFR	
CAV DATE	
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