

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8898 of 2025

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Saurav Kumar, S/o Suresh Ram Resident of Village- Chintamani Chak, Ward No.21, P.S.- Mokama, District-Patna.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Old Secretary, Patna.
2. The Secretary, Building Construction Department, 6th Floor, Vishwasraiya Bhawan, Bailey Road, Patna.
3. Special Secretary, Building Construction Department, Bihar, Patna.
4. Deputy Secretary, Building Construction Department, Bihar, Patna.
5. Joint Secretary, Agriculture Department, Bihar, Patna.
6. Mr. Varun Kumar Horticulture Officer in Horticulture Office in Garden Division, Building Construction Department, 12, Behind Harding Road, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mrs. Binita Singh, SC- 28

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL JUDGMENT
(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 12-09-2025

None appears for the petitioner.

2. In the instant Writ petition, petitioner has prayed
for the following relief(s):-

i. For issuance of a Writ/ order/ direction in the nature of mandamus quashing the Corrigendum Letter No.-01/A.G. Horticulture – 20/21 dated 29.08.2024 issued by respondent Joint Secretary, Agriculture Department, Bihar, Government, Patna.

ii. For writ/ order/ direction in the



nature of mandamus directing the respondents to remove Mr. Varun Kumar from the post of Horticulture Officer, District Horticulture Office, Patna as well as from the post of In-charge Assistant Director (Horticulture) and Executive Officer at Horticulture Division, Building Construction Department, Bihar, Patna and take action against the concerned respondents upon whose pleasure he was continuously posted on said post in Patna. and take actions against the concerned respondents of building construction department, Bihar, Patna by their arbitrary and illegal decision. Because since the year 2008 to 2009, 2010-21 and on 13.08.2024 to till today Mr. Varun Kumar providing his service and posted without any transfer to any place in Building Construction Department vide Letter No.-307 dated 18.01.2011.

iii. For issuance of writ/ order/ direction in the nature of mandamus directing the respondents to quash the posting and deputation of Mr. Varun Kumar illegally as of Horticulture Officer in level of 7 in agriculture department office at Mithapur, Patna and also deputed as post of Executive Officer in level 9 on the post of Executive Officer in garden Division Building Construction Department, behind 12 Harding Road, Patna for that posting and deputation Mr. Varun Kumar has no qualification and does not deserve for that post.

iv. For issuance of writ/ order/ direction to held enquiry by impartial and fair agency for investigation of academic certificates and appointment on post of Horticulture Officer and In-charge of Executive Officer of Mr. Varun Kumar the respondent.

v. For any other relief or reliefs to which the petitioner is entitled to on the facts and circumstances of the instant case.”



3. Respondents No. 2, 3 and 4 have filed counter affidavit and in para – 7, they have stated as under:

“7. That it is stated that the petitioner had earlier preferred C.W.J.C. No. 2878/2025 for the same relief before this Hon’ble Court that was dismissed as withdrawn vide order dated 19.02.2025 which fact has not been mentioned herein this writ petition.”

4. Such counter affidavit was filed on 25th June, 2025 till date petitioner has not filed rejoinder so as to counter para-7. Be that as it may, the petitioner has not made out a case as to why 6th Respondent – Mr. Varun Kumar, Horticulture Officer is to be removed. In the absence of these materials, petitioner has not made out a case.

5. Accordingly, Writ petition stands dismissed.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.09.2025
Transmission Date	NA

