

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11856 of 2025

=====

Sanoj Kumar Ram, Son of Jaglal Ram, Village Khedu Chapra, P.S. Sikatiya,
District Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the under Secretary, Commercial Tax Department, Govt. of Bihar, Patna.
2. The Additional Commissioner of State Tax, Commercial Tax Department Bihar, Patna.
3. The Senior Manager (Administrator), Bihar State Tourism Development Corporation Ltd, Beerchand Patel Path, Patna.
4. The Senior Managing Administrator, Bihar Tourism Development Corporation Ltd., Beerchand Patel Path, Patna.
5. The Deputy Commissioner in charge of Commercial Tax, Govt. of Bihar, Anchal Siwan, District at Siwan.
6. The State Tax Joint Commissioner, Incharge, Circle Siwan, District at Siwan.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajesh Dayal, Adv.
For the Respondent/s	:	Mr. Raghwanand, GA-11
For the BSTCDL	:	Mr. Kumar Abhimanyu Pratap, Adv.
		Ms. Sakshi Singh, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-08-2025

Heard the parties.

2. The petitioner has approached this Court on being aggrieved with the order as contained in letter no.297 dated 20.05.2025 issued by the respondent no.5, the Deputy Commissioner Incharge, Commercial Tax, Government of Bihar, whereby the services of the petitioner have been returned to the Bihar State Tourism Development Corporation in the light of the letter no.4202 dated 25.09.2024.



3. Learned Advocate for the petitioner contended that the petitioner has been allowed to work for over a period of ten years of long service and now he attained the age of more than thirty years and, as such, dispensing his services from the post of driver would put him in lurch and harassment at the hands of the concerned respondent(s). It is further submitted that the letter, based upon which, the service of the petitioner has been returned to the Corporation only stipulates that the vehicles, which are more than fifteen years old, were not allowed to run on the road, which has nothing to do with the continuation of the petitioner in service, moreover the work of the petitioner has never been found to be unsatisfactory or there is no imputation levelled against him.

4. Learned Advocate for the Bihar State Tourism Corporation Ltd., referring to the employment letter of the petitioner as contained in Annexure-P/2 has submitted that at the time of employment, it has been made clear that his service is being provided through the service provider and he had never been treated as an employee of the Corporation or the State Government. Since the vehicles are no more available with the Corporation; hence, there is no need of driver and accordingly the service of the petitioner has been returned to the service



provider.

5. Similar stand has been taken by the State.

6. Considering the submissions set forth by the learned Advocate for the parties, this Court, *prima facie*, finds no reason or occasion to interfere with the writ petition; however, taking note of the fact that the petitioner had been serving the Department or the Corporation on monthly honorarium for the last ten years, in case the Corporation finds the service of the petitioner useful in any other suitable place, it may take a lenient view in order to engage him as driver.

7. The petitioner shall be at liberty to approach before the authorities of the Corporation by filing a representation along with the order of this Court.

8. The writ petition stands disposed off.

(Harish Kumar, J)

rohit/-

U			
---	--	--	--

