

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17233 of 2012

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Munna Kumar Son of Late Khusnandan Singh Resident of Village- Bishunpur
Chak Pahar, P.O.- Madhopur Hajari, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Agriculture Department, Govt. of Bihar, Patna
3. The Under Secretary, Agriculture Department, Govt. of Bihar, Patna
4. The Deputy Agriculture Director (Administration), Agriculture Directorate,
Bihar, Patna
5. The Agriculture Production Commissioner, Govt. of Bihar, Patna
6. The District Magistrate, Muzaffarpur
7. The District Agriculture Officer, Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Singh, Advocate Mr. Rama Kant Singh, Advocate
For the Respondent/s	:	Mr. K.P. Gupta, Advocate Mr. SC-16

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
C.A.V. JUDGMENT

Date :02-12-2025

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The petitioner has filed the instant application
praying for quashing the Office Order no.182 dated 16.7.2012
issued under the signature of the District Agriculture Officer,
Muzaffarpur cancelling the appointment of the petitioner.

3. The case of the petitioner in brief is that on the
respondents having come out with an advertisement in the year
2010, the petitioner applied and by order dated 30.4.2010 was



appointed as a Subject Matter Specialist. He started working to the satisfaction of all concerned. The petitioner was surprised to receive Office Order no.182 dated 16.7.2012 issued by the District Agriculture Officer, Muzaffarpur cancelling the appointment of the petitioner.

4. It is submitted by learned counsel for the petitioner that the order impugned cancelling the petitioner's appointment is not sustainable for violation of principle of natural justice as neither any notice nor any show cause was issued to the petitioner prior to passing of the said order.

5. The application is opposed by learned counsel for the respondents. Referring to the contents of the counter affidavit, it is submitted that in light of a complaint by one Rajesh Kumar, a member of the Panchayat Samiti, in the enquiry conducted, it transpired that the petitioner and others had indulged in irregularities. Consequent to the submission of the enquiry report, on the direction of the Director Agriculture, Bihar to the District Magistrate, Muzaffarpur, the petitioner was terminated on 16.7.2012. It is submitted that the order having been passed in accordance with Clause 11 of the Guidelines of the Agriculture Department, Government of Bihar, there is no illegality in the same and as such, the writ application be



dismissed.

6. Heard learned counsel for the parties and perused the material on record.

7. The relevant facts in brief are that pursuant to the respondents having come out with an advertisement in the year 2010, the petitioner applied and was appointed on the post of Subject Matter Specialist on 30.4.2010. A perusal of the order of appointment bearing order no.195 dated 30.4.2010 (Annexure-3) would show that the same clearly provides that the appointment was purely temporary, it was for a period of two years and the petitioner would be entitled for honorarium of Rs.5,000/- per month and operational expenses of Rs.3,500/ per month. In future, he would not be claiming any regular appointment nor making any other claim. The appointment would come to an end on the scheme ending or the respondents finding that the work being carried out by the petitioner is unsatisfactory. The other clauses mentioned in the order of appointment are also very clear.

8. A perusal of the order of appointment clearly shows that the appointment was purely on temporary basis for a period of two years on payment of honorarium. On perusal of the order impugned as also the contents of the counter affidavit, it



transpires that on a complaint having been filed by one Rajesh Kumar, a member of the Panchayat Samiti of village Motipur, a Committee was constituted which enquired into the matter and submitted its report on 18.1.2012. In the report submitted, it transpired that the officials including the District Agriculture Officer, Muzaffarpur, the Block Agriculture Officer, Motipur as also others had indulged in irregularities. The enquiry report was duly examined and the Director Agriculture, Bihar asked the District Magistrate to take action in the matter.

9. So far as the petitioner is concerned, he was directed to be terminated with immediate effect in view of the grave charges of embezzlement of public money and further direction was given to lodge an FIR against him.

10. It is on the approval of the District Magistrate, Muzaffarpur that the District Agriculture Officer, Muzaffarpur came out with an Office Order no.182 dated 16.7.2012 cancelling the appointment of the petitioner. The respondents in coming out with the order took into consideration the Guidelines issued by the Agriculture Department, Government of Bihar, brought on record as Annexure D to the counter affidavit filed on behalf of the respondent nos.2 to 5.

11. In view of the facts and circumstances stated herein



above, the Court finds no illegality in the order cancelling the appointment of the petitioner and no merit in the instant application.

12. The application is dismissed.

(Partha Sarthy, J)

Saurabh/-

AFR/NAFR	NAFR
CAV DATE	30.10.2025
Uploading Date	02.12.2025
Transmission Date	N/A

