

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15043 of 2012

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Pramod Kumar Singh Son of Sri Mahendra Prasad Singh Resident of Village
and P.O. Kalwari, Block and P.S. Kanti, 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
For the Respondent/s	:	Mr. Subhash Pd. Singh, GA-3

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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 writ application
praying for quashing the order contained in memo no.1736
dated 16.7.2012 issued under the signature of the District
Agriculture Officer, Muzaffarpur cancelling the appointment of
the petitioner in terms of Clause 11 of the Guidelines and for a
direction to the respondents for payment of arrears of salary as
also the current salary.



3. The case of the petitioner in brief is that the respondents having come out with an advertisement in the year 2010 for appointment on the post of Subject Matter Specialist, the petitioner applied and was selected vide order dated 11.5.2010 (Annexure-3). He joined the Motipur Block under the District Agriculture Office, Muzaffarpur and started working.

4. It is the case of the petitioner that he received an order no.182 dated 16.7.2012 issued under the signature of the District Agriculture Officer, Muzaffarpur terminating his service with immediate effect in view of Clause 11 of the relevant Guidelines.

5. Learned counsel for the petitioner submits that no notice, no show cause nor any opportunity of hearing having been provided to the petitioner, the order terminating his service as Subject Matter Specialist is not sustainable and thus the same be set aside and he be reinstated. Further, the respondents be directed to pay the arrears of salary as also the current salary.

6. The application is opposed by learned counsel for the respondents who submits that pursuant to a complaint having been filed by one member of the Panchayat Samiti, an Enquiry Committee was constituted by the department who submitted their report on 18.1.2012 wherein it transpired that the petitioner



had indulged in irregularities. The enquiry report was examined at the department level and thereafter the Director Agriculture, Bihar, Patna vide his letter dated 3.4.2012 directed the District Magistrate, Muzaffarpur to terminate the petitioner in view of the grave charges of embezzlement of public money and also to register an FIR. It is submitted that as per the relevant Guidelines of the Agriculture Department, Government of Bihar (Annexure-D to the counter affidavit of respondent nos.1 to 5), the order of termination of the petitioner is in accordance with law and does not require to be interfered with. It is thus submitted that the writ application be dismissed.

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

8. The relevant facts in brief are that pursuant to the respondents having come out with an advertisement in the year 2010, the petitioner having applied came to be appointed as a Subject Matter Specialist by Office Order no.200 dated 11.5.2010 issued under the signature of the District Agriculture Officer.

9. The order of appointment of the petitioner clearly provides that the appointment as a Subject Matter Specialist has been made on contract basis for a period of two years and the



appointment is completely temporary. For the said period, the petitioner would be getting an honorarium of Rs.5,000/ per month and Rs.3,500/ per month by way of operational expenses. He would not be getting any other amount. The order further provides that on the basis of this appointment, he would not be making any other claim for regular appointment in future. It also provided that on the special scheme coming to an end or a decision being taken by the State Government, the appointment of the petitioner can be terminated. The termination can also take place in case the petitioner is found lacking in discharge of his duties or the work of the petitioner is found unsatisfactory.

10. From the order impugned as also from the contents of the counter affidavit, it transpires that on a complaint having been made by one Rajesh Kumar, a member of the Panchayat Samiti of Block Motipur, an Enquiry Committee was constituted. The Committee submitted a report in the department on 18.1.2012 finding that the petitioner had indulged in irregularities. The enquiry report was examined by the department pursuant to which the Director Agriculture, Bihar by his letter dated 3.4.2012 wrote to the District Magistrate, Muzaffarpur to terminate the petitioner in view of the grave charges of embezzlement of public money and also to lodge an



FIR against him. It is in pursuant to the same that the appointment of the petitioner was cancelled by the order impugned dated 16.7.2012.

11. In view of the facts and circumstances stated herein above, the Court finds no illegality in the order impugned and no merit in the instant writ 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

