

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15113 of 2024

Jan Kalyan Kendra having registered office at Marwan, P.O.- Marwan, Viya-Patahi, P.S.- Kajra District- Muzaffarpur through its Secretary Pramod Kumar, aged about 48 years, Male, Son of Shankar Ray, Resident of Marwan, Pakari Pakohi, P.S.- Kajra, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Labour Resources Department, Govt. of Bihar, Patna.
2. The Director, Employment and Training Directorate, Govt. of Bihar, Patna.
3. The Joint Director, Employment and Training Directorate, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Singh
For the Respondent/s : Mr.Government Advocate (2)

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

2 16-09-2025 Heard the learned counsel for the parties.

2. This writ petition has been filed for the following
relief(s):-

“(i) For issuance of writ in the nature of Certiorari for quashing the Office Order contained in Memo No. 3738 dated 13.11.2023 issued under the signature of Respondent No. 2 whereby and whereunder the bill amounting to Rs. 4,29,000/- with regard to claim No. 861611 has been rejected in light of ex-parte enquiry report submitted by the Four Member Enquiry Committee of the Directorate.

(ii) For directing the respondents to reimburse total training cost of Rs. 4,94,000/- since the petitioner has completed the training



of one batch of ICT – 701 and also imparted ACS training of 100 hours in accordance with SDIS Norms and submitted the ACS Training Cost claim of one batch of ICT-701.”

3. It is the case of the petitioner that pursuant to the work order issued to the petitioner, the petitioner has completed the work and subsequently he has raised the bill for an amount of Rs. 4,29,000/- however the authority has rejected the claim of the petitioner solely on the ground that the three men committee appointed by the District Magistrate has given a finding that the petitioner is not eligible for the payment of the said amount. Learned counsel submits that the three men committee enquiry report is an *ex parte* report which has been prepared behind the back of the petitioner without putting him on any prior notice. Learned counsel has, therefore, prayed this Hon'ble Court to set aside the impugned order dated 13.11.2023 and direct the respondents to pay the amounts.

4. *Per contra*, the learned counsel appearing on behalf of the respondents has submitted that the present writ petition is not maintainable and is liable to be dismissed. Learned counsel has stated that the authority duly taking into consideration the bills submitted by the petitioner has constituted an enquiry committee to verify as to whether the bills raised by the



petitioner are genuine or not. The three men committee have given a report stating that the petitioner is not entitled for any amount and based on the same, the authority has passed the impugned order. Learned counsel submits that the order passed by the authority is a well reasoned order which does not require any interference by this Hon'ble Court and prayed for dismissing the writ petition.

5. Admittedly in the present case, the authority has passed the order rejecting the claim of the petitioner solely based on the report of the committee constituted by them. It is not denied by the respondent that the committee has evaluated the case of the petitioner without putting him on any notice, further it is to be noted that the order of rejection is also done by the authority without putting him on any prior notice. Therefore, it could be fair and prudent to set aside the impugned order and direct the authorities to furnish the copy of the three men committee on the petitioner and give him an opportunity of filing his objections. The authority shall furnish a copy of the enquiry report to the petitioner within a period of three weeks from today. On such report being given, the petitioner shall file his objections to the said report within a period of two weeks from the date of receipt of the said copy. Thereafter, the



authority shall pass a reasoned order duly taking into consideration the objections filed by the petitioner. The authority before passing any order shall give an opportunity of hearing to the petitioner. The entire exercise shall be completed as expeditiously as possible preferably within a period of eight weeks from the date of receipt of the copy of this order. Any order passed shall be communicated to the petitioner. In case the authority comes to the conclusion that amounts claimed by the petitioner need to be paid, they shall do so without any further delay.

6. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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