

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1174 of 2024

In
Civil Writ Jurisdiction Case No.14295 of 2024

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Arjun Kumar Ram Son of Late Ram Rup Ram Resident of village- Shukhu
gan Chakala, P.S.- Madhepura Town, District- Madhepura.

... .. Appellant

Versus

1. The State of Bihar through its Secretary, Gramin Vikash Bibhag, Rural Development Department, New Secretariat, Patna, Bihar.
2. The Deputy Development Commissioner, Saharsa Division, Saharsa.
3. The District Magistrate, Madhepura.
4. The Block Development Officer, Kumarkhand, District- Madhepura.
5. Mukhiya of Gram Panchayat Singhpur, Gardhiya Block Kumarkhand, District- Madhepura.

... .. Respondents

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Appearance :

For the Appellant/s : Mr. Jitendra Kumar Pandey, Advocate
For the Respondent/s : Mr. Addl. Advocate General (04)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 17-09-2025 The appellant has assailed the order of the learned Single Judge on 23.09.2024 passed in CWJC No. 14295 of 2024. Appellant Arjun Kumar Ram was engaged in contract basis services. While working, as such, he is alleged to have involved in the allegation of misappropriation of some financial irregularities. Taking note of complaint and other material information, the Respondents have proceeded to cancel the contract



appointment of the appellant. Perusal of the records, it is crystal clear that when there are serious allegations followed by termination from the contract appointment, in that event appellant is entitled to have the benefit of facing domestic inquiry, for the reasons that with a stigmatic order he cannot quit or leave the job. Time and again, Courts have held that even *ad hoc* employee who is involved in the alleged allegation led into any type of misconduct, he would be subjected to domestic inquiry. Taking note of these factual aspects, learned Single Judge has not appreciated that domestic inquiry has not been held so as to prove the alleged allegations leveled against the appellant.

2. Accordingly, the appellant has made out a case so as to interfere with the order of the learned Single Judge on 23.09.2024 passed in CWJC No. 14295 of 2024 and it is set aside and so also Memo No. 2470 dated 14.08.2018 of the District Magistrate, Madhepura is set aside. Allowing writ petition and LPA would not be hurdle for the concerned respondent to initiate domestic inquiry and proceed to take further action in the manner known to the law and strictly in accordance with law. The above exercise shall be completed



within a period of three months from the date of receipt of
this order.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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