

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7860 of 2026

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Yognandan Yadav S/o Biran Yadav, R/o- Tetrahi Ward No.- 01, Amaha, P.S.-
Pipra, District – Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, General Administration Department, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, District Supaul, Bihar.
3. The District Selection Committee, through its Chairman, Dist. Supaul.
4. The District Establishment Deputy Collector, District- Supaul, Bihar.
5. The Civil Surgeon-cum-Chief Medical Officer, Supaul, Distt.- Supaul.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Aatish Kumar, Advocate
	:	Mr. Kundan Kumar, Advocate
For the Respondent/s	:	Mr. Subhash Pd. Singh, GA-3

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR

ORAL JUDGMENT

Date : 16-06-2026

Heard the parties.

2. The present writ petition has been filed for the following reliefs:-

- i. For issuance of an appropriate writ, order or direction, including a writ in the nature of Certiorari, for quashing the impugned decision contained in the Minutes of the Meeting of the District Selection Committee dated 21.02.2026 (Annexure-P/5), insofar as it denies extension of contractual service to the petitioner, being arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution of India.
- ii. For issuance of an appropriate writ, order or direction, including a writ in the nature of



Mandamus, commanding the respondents to grant extension of the petitioner's contractual service as Driver in the office of the Civil Surgeon, Supaul, in terms of the recommendations made by the competent authority and in accordance with the General Administration Department Resolution No. 10000 dated 10.07.2015.

- iii. For issuance of a further direction to the respondents to reinstate/restore the petitioner to his position with continuity of service and all consequential benefits, including payment of admissible remuneration for the intervening period.
- iv. For issuance of a declaration that the action of the respondents in denying extension to the petitioner while granting the same benefit to similarly situated persons is illegal, arbitrary, and violative of the principle of equality under Articles 14 and 16 of the Constitution of India.”

3. The learned counsel for the petitioner submits that the petitioner after his retirement started working as a driver in the Community Health Centre, Pipra, Supaul on contractual basis since 01.12.2022, however the District Selection Committee in its meeting dated 21.02.2026 rejected the case of the petitioner and one another for extension of their services. He submits that similarly situated employees, who are working on contractual basis as Peon, have been permitted to continue as a contractual employee, however the candidature of the petitioner has been



rejected only on the ground that in the concerned department process for making appointment on full-time basis has already been initiated. He submits that the petitioner is suitable for the appointment as he has passed the efficiency test conducted by the concerned authorities for his vision and therefore, it was incumbent upon the respondent authorities to extend the tenure of the petitioner as a contractual employee and the rejection of his candidature is arbitrary and is in violation of Articles 14 and 16 of the Constitution of India. He submits that as per the circular of the State Government contained in Memo No. 10000 dated 10.07.2015, issued from the General Administration Department, it is clear that even if process for appointment on regular basis has been initiated, there is no impediment in appointment of persons on contractual basis. He submits that the case of the petitioner deserves consideration, since he fulfills all the criteria for being appointed on contractual basis, after his retirement, although he continued to work on contractual basis, after his retirement from 2022 till 2025.

4. Per contra, the learned counsel appearing on behalf of the State submits that the petitioner has no vested right to be appointed on contractual basis, since it is the prerogative of the department that whether they want to continue with ad-hoc



arrangement or to go for regular appointment. In the present case, the process for appointment on regular basis has already been initiated, therefore there is no justification in continuance of the petitioner as a contractual driver.

5. Having heard the rival submissions and after going through the records, it appears that after his retirement, the petitioner was engaged as a contractual driver in the office of the respondent no. 5 i.e., the Civil Surgeon-Cum-Chief Medical Officer, Supaul, on 01.12.2022 and he continued on the said engagement till 2025. His application for extension of his services as a driver was rejected by the District Selection Committee in its meeting dated 21.02.2026 on the ground that the process for regular appointment has already been initiated. This Court finds that there is no infirmity in the order passed by the District Selection Committee in its meeting dated 21.02.2026, so far it relates to the petitioner, since it is the prerogative of the employer to engage a person on contractual appointment. When the process for regular appointment has already been initiated, it is expected that the same shall be concluded and the process comes to an end. The petitioner has got no vested right to be appointed as a contractual employee for indefinite period.



6. Accordingly, this Court finds no merit in the writ petition and the same is dismissed.

(Ritesh Kumar, J)

AjayMishra/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	17.06.2026
Transmission Date	NA

