

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9596 of 2026

=====

Vijay Manjhi S/o-Shyamlal Manjhi, R/O-Village-Shekhpora, P.O-Paiga, P.S-Amnour, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Government of Bihar, Patna.
2. The Principal Secretary, Rural Development Department, Government of Bihar, Patna.
3. The District Magistrate, Saran at Chapra.
4. The Deputy Development Commissioner, District-Saran.
5. The Block Development Officer, Taraiyan, District-Saran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Alok Ranjan, Advocate
For the Respondent/s : Mr. Narendra Kumar Singh, AC to GP-22

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH KUMAR
ORAL ORDER

2 22-07-2026 Heard Shri Alok Ranjan, learned counsel for the

petitioner and Shri Narendra Kumar Singh, learned AC to GP-

22.

2. The petitioner in the present writ application has

prayed for the following reliefs:-

(1) For Ouashing the showcause notice dated 24.12.2024 as contained in memo no. 1049 dated 10.07.2025, issued under the signature of Deputy Development Commissioner, Saran at Chapra, whereby and where under a showcause has been issued pursuant to inquiry report submitted against the petitioner by Project officer-cum-Director, National Employment Programme, Saran, which was conducted behind the back of the petitioner and the copy of the same was never provided to the petitioner; and also only 2 days time was granted to the petitioner to file his



reply, which is not the sufficient time for filing of the reply.

(ii). For quashing of the order as contained in memo no. 1751 dated 29.07.2025 issued under the signature of Deputy Development Commissioner, Saran, Chapra, whereby and where under the services of the petitioner from the post of Gramin Awasahayak (Rural House Assistant), has been terminated, by a cryptic order, in a most arbitrary and illegal manner, without following any procedure, with a predetermined mind, without considering showcause reply, without applying his own independent judicial mind, in teeth of principals of Natural justice.

(II). For quashing of the order issued by the District magistrate Saran at Chapra, passed in appeal filed on behalf of the petitioner vide order dated 06.09.2025 as contained in memo no. 2146 dt 10.09.2025, by which the appeal filed by the petitioner has been dismissed and order passed by DDC Saran, Chapra, has been affirmed and petitioner has been declared guilty with a predetermined mind and in a very mechanical manner, without considering showcause reply/ appeal application and documents produced along with the appeal application before him, by the petitioner, without considering the fact the alleged beneficiaries have on oath, have sworn affidavits and have narrated/disclosed the fact that no any incidence as alleged have taken place, which is in teeth/violation of principles of natural justice and the same is also contrary to settled principals of law as laid down through various judicial pronouncement by Hon'ble High court and Hon'ble Apex court.

(III). Further for quashing the order dated 16.02.2026 issued under the signature of Principal Secretary, Rural Development Department, Government of Bihar Patna, as contained in letter no. 5563351 dated 07.05.2026, whereby and where under the revision filed on behalf of the petitioner has been dismissed in most arbitrary, illegal, and in a very mechanical manner, without considering showcause reply/ application of the petitioner and also the hearing was done by additional secretary and the order was passed by the secretary of the Department, which is in teeth/violation of principles of natural justice and the same is also contrary to settled



principals of law as laid down through various judicial pronouncement by Hon'ble High court and Hon'ble Apex court.

(IV). For directing and commanding the respondent authority to reinstate the services of the petitioner and to pay all the consequential benefits attached to the said post, from the date of termination till reinstatement also.

3. The petitioner was appointed to the post of Gramin Awas Sahayak in Dhenuki- Panchyat, Block-Panapur, vide letter no. 1432 dated 10.07.2024, under Deputy Development Commissioner, DRDA Saran, Chapra, Bihar and at the relevant time was posted at Gram Panchyat Raj Chanchalia, in Taraiyan-Block in the District of Saran at Chapra. It is contended by petitioner that there he was harrassed by ward members of ward no. 13 and on the basis of the fictitious complaint a show cause notice was issued by the Block Development Officer, Taraiyan, vide letter no. 249 dated 06.06.2025, (which forms as Annexure-P/3 to the writ application), by which the petitioner was asked to submit his reply to complaint made by one Ranjit Kumar Yadav, ward member to the extent of illegal extraction of money from the beneficiaries within two days. The petitioner submits his belated reply on 14.06.2025, denying the allegation of illegal gratification. It has further been submitted that the complainant Ranjit Kumar Yadav himself vide letter dated 16.06.2025 has denied the fact that he has ever made any complaint against the



petitioner, (which forms as Annexure- P/5 to the writ application).

3.1 Thereafter, respondent no. 4 again on the basis of the enquiry report submitted by the Director, National Employment Programme, Saran, issued a notice vide letter no. 1049, dated 10.07.2025 to remain present on 19.07.2025 to place his case (which forms as Annexure -P/6 to the writ application). In this regard, the petitioner submitted his reply, which was received by the office of respondent no. 4 on 17.07.2025 (which forms as Annexure- P/7 of the writ application), denying his involvement in any alleged occurrence. Alongwith his reply, the petitioner has annexed the respective affidavits of the beneficiary with denial of payment of any gratification to him and contends that the impugned order of termination of contractual appointment by respondent no. 4 i.e. Deputy Development Commissioner, Saran at Chapra is without following any due process of law, department's guidelines, rules and without considering the show cause reply filed by the petitioner and with predetermined mind the petitioner was held responsible for the guilt which was never committed by him.

3.2 It has further been submitted by the learned



counsel for the petitioner that only 2 days time was granted to the petitioner to file his reply to the show cause notice dated 10.07.2025. It has further been contended that neither enquiry was conducted nor the reply filed on behalf of the petitioner was considered and the petitioner was held guilty in haste on 19.07.2025.

3.3 It has further been submitted that the petitioner aggrieved by the order passed by the District Magistrate, Saran at Chapra preferred second appeal before the Principal Secretary, Rural Development Department, Government of Bihar which was dismissed vide order dated 16.02.2026 in most arbitrary, illegal and in very mechanical manner without considering show cause reply in violation of principals of natural justice and contrary to the settled principal of law as laid down by various judicial pronouncement of Hon'ble High Court and Hon'ble Apex Court.

4. From the pleading available on record, inhibitions of exercise power under Article 226 of the Constitution of India by several judicial pronouncement with regard to contractual employment, the only issue to be decided by this court is -

(I) Whether the petitioner was afforded with opportunity of hearing before termination of his contractual



appointment or not and in furtherance reply submitted by him has been considered or not?

5. For decision on issue stated hereinabove, this court finds it expedient to dispose of the writ application with appreciation of findings of appellate authority and revisional authority.

6. This court on careful examination of the communication annexed with the writ application finds that for the alleged occurrence proper show cause notice was issued to the petitioner and he has filed his detailed reply annexing the affidavits of the beneficiaries as well as the application of the complainant.

7. The Deputy Development Commissioner, Saran at Chapra vide its impugned order dated 19.07.2025 has taken each and every points raised by the petitioner viz. the ignorance of complainant about filing of any such complaint, the affidavits by the respective beneficiaries and due appreciation of video clip in presence of the petitioner and was afforded with ample opportunity of hearing and in opinion of this court, the impugned order cannot be faulted on any score.

8. Further in appeal, the Appellate Authority has properly appreciated the contention raised by the petitioner



vis-a-vis the findings of the respondent no. 4 and has rightly rejected the appeal preferred by the petitioner. Further the revisional authority for want of any additional evidence to be adduced by petitioner has upheld the order of respondent no. 4 and the appellate authority, finds that in nature of allegation level against the petitioner and its substantiation by the authorities requires no interference.

9. Accordingly, the concurrent findings by respective authorities needs no interference by this court and the writ application is dismissed.

(Vikash Kumar, J)

Rohit/-

U			
---	--	--	--

