

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24210 of 2013

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Abhay Kumar Son Of Late Arjun Singh Resident Of Village And Post-
Nandnama, P.S.- Ramgarh Chowk, Dist.- Lakhisarai

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Human Resources Development Department, Govt. Of Bihar, Patna
3. The Director, Bihar Education Project, Council State Level Office, Siksha Bhawan, Rastra Bhasa Parishad, Campus, Saidpur, Rajendra Nagar, Patna- 4
4. The District Education Officer, Lakhisarai
5. The District Program Officer, Primary Education And Sarva Siksha Abhiyan, Lakhisarai

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar
For the Respondent/s : Mr.Rishiraj Sinha

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENTDate : 19-02-2026

1. The petitioner has filed the instant application for the following relief(s):

"I. For, issuance of a Writ, in the nature of Certiorari, to Quash the Office Order contained in Memo No. 6835 dt. 10.10.2013, issued under the signature of Respondent, State Project Director, whereby and whereunder, all appointments, made on 22.2.2013 and thereafter has been cancelled, with immediate effect(Annexure-2-).

II. Further be pleased to quash the consequent letter No. 1805 dt.



17.10.2013, issued under the signature of respondent District Program, Officer, Lakhisarai, whereby and whereunder, the petitioner has been informed that, his services/employment, cancelled in the light of order contained in annexure-1-. Simultaneously a clarification was also sought for from the petitioner to the aforesaid effect(annexure-3).

III. Further be pleased to direct the respondents, to pay honorarium to the petitioner, for which he performed, the duty assigned to him.”

2. At the very outset, the Learned counsel appearing on behalf of the respondents submits that the issue involved in the present writ petition is no longer *res integra*. It is contended that the issue stands squarely covered by the order dated 17.02.2014 passed by a Co-ordinate Bench of this Court in CWJC No. 3561 of 2014 (Gopal Kumar Vs. The State of Bihar & Ors.), wherein an identical issue was considered and adjudicated. The Learned counsel, therefore, submits that in view of the aforesaid judgment the present writ petition may also be disposed of.



3. In **Gopal Kumar** (supra) this Court has held as follows:

“2. The present petition has been filed for quashing of the office order dated 10.10.2013 issued by the State Project Director, Bihar Education Project Council by which all the appointments made in Kasturba Gandhi Balika Residential School, Kaindi, Halsi Block, District Lakhisarai in the post of Peon appointed on or after 22.02.2013 have been cancelled in view of the reservation policy not having been followed in the matter of selection. The petitioner has also prayed for quashing of the order dated 17.10.2013 by which, in view of the aforesaid order dated 10.10.2013, his appointment made as Peon for a period of one year on contract basis came to be terminated.

3. Learned Counsel for the petitioner submits that on the face of it the cancellation of his appointment is illegal considering that the order dated 17.10.2013 not only cancels his appointment, but in the same breath also calls for a show cause. It is therefore, submitted that the order of cancellation violates the principles of natural justice.



4. *Learned Counsel for the Respondent No. 2 submits that no fault can be found with the termination of the petitioner's appointment which, to begin with, on contract basis. In view of the office order dated 10.10.2013 it is clear that all such appointments were contrary to Rules in not following the reservation policy which had thus been cancelled in principle, and it is not a case where the petitioner has been singled out for termination. It is further submitted that the show cause called for was in fact superfluous and redundant. It is further pointed out that the matter has also been considered in the case of similarly situated persons Lakshmi Kumari and another in CWJC No. 2244 of 2014 wherein this Court has refused to interfere in the matter.*

5. *In the above circumstances, this Court is of the view that the petitioner has not made out any case for interference under Article 226 of the Constitution of India.*

6. *Learned Counsel for the petitioner submits that payment has not been made for the part of the period for which he has worked. This Court makes*



no observation in that regard. If so advised, the petitioner is always at liberty to approach the authorities for redressal of his grievances.

7. The writ petition stands dismissed.”

4. Having regard to the submissions made by the parties, the present writ petition stands dismissed in terms of the aforesaid order passed in Gopal Kumar **(supra)**.

5. Interlocutory Application(s), if any, shall stands disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.02.2026
Transmission Date	

