IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S). No. 2257 of 2024

Arvind Kumar Chandravansi, aged about 41 years, son of Ram Sewak Ram, resident of village Daleli, P.O. Okhargada, P.S. Meral, Dist. Garhwa.

… Petitioner

Versus

1. The State of Jharkhand.
2. The Deputy Commissioner-cum-District Magistrate, Garhwa, P.O. & P.S. Garhwa, Dist. Garhwa.
3. The District Supply Officer, Garhwa, P.O. & P.S. Garhwa, Dist. Garhwa.
4. The Block Supply Officer, Kandi, P.O. & P.S. Kandi, Dist. Garhwa.

…. Respondents

CORAM: **HON'BLE MR. JUSTICE DEEPAK ROSHAN**

For the Petitioner : Mr. Panjak Srivastava, Advocate
For the Respondents : Mr. Abhinay Kumar, AC to GA-I

10/ 26.10.2026 This writ application has been preferred by the petitioner with a prayer for quashing the order contained in memo No. 201 dated 09.02.2024 (Annexure-4), issued by respondent No. 2, whereby petitioner has been dismissed from the post of Computer Operator.

Petitioner has further prayed for direction upon the respondents to reinstate him in service with full back wages.

2. At the outset, learned counsel for the petitioner draws attention of this Court towards Annexure-4 and submits that though the petitioner was a contractual employee but the way he was discharged from service is against the settled principle of law, inasmuch as, though a contractual employe does not have a right of regular departmental proceeding but since the order of discharge/ termination is stigmatic in nature, accordingly, proper enquiry was must before discharging the services of the petitioner.

3. Learned counsel for the respondents submits that though a direction was given to file counter-affidavit but the same has not been filed, however, he supports the impugned order and submits that the petitioner being a contractual employee does not have a right enshrined under the Constitution of India.

4. Having heard learned counsel for the parties and after going through the order-sheet it appears that the last chance was given to the

respondent-State to file counter-affidavit on 12.12.2024 and thereafter, again on 25.09.2026, time was granted for filing the same; however, till date the counter-affidavit has not been filed.

5. From bare perusal of the impugned order dated 09.02.2024 (Annexure-4), it appears that allegation has been levelled against this petitioner to the extent that the petitioner has declared several persons as dead in order to cancel their ration cards.

6. For brevity, relevant part of the order is extracted herein below:

> *"उपरोक्त से स्पष्ट होता है कि काण्डी प्रखण्ड के जयनगरा ग्राम के लाभुकों को मृत घोषित कर राशन कार्ड के विलोपन का कार्य श्री अरविन्द कुमार चन्द्रवंशी के द्वारा किया गया है। जीवित व्यक्तियों को मृत घोषित कर उनके राशनकार्ड को रद्द किया जाना अत्यंत ही गंभीर मामला है, जो राष्ट्रीय खाद्य सुरक्षा अधिनियम* 2013 *के अन्तर्गत आच्छादित लाभुकों को प्रदत्त अधिकारों से वंचित किया जाना है।*
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> *अतः मामले की गंभीरता को दृष्टिगत रखते हुए श्री अरविन्द कुमार चन्द्रवंशी, तत्कालीन प्रतिनियुक्त कम्प्यूटर ऑपरेटर, जिला आपूर्ति शाखा, सम्प्रति-पदस्थापित जिला निर्वाचन शाखा (प्रतिनियुक्त प्रखण्ड कार्यालय, डंडई) को तत्काल प्रभाव से कार्यमुक्त किया जाता है।"*

7. Since the impugned order is stigmatic in nature, it will have a far-reaching effect; accordingly, this Court does not have any hesitation in holding that the impugned order is bad in law. Accordingly, the impugned order dated 09.02.2024 (Annexure-4), is hereby, quashed and set side.

8. The matter is remitted to the 2nd Respondent to hold an enquiry about the allegation levelled against the petitioner and after following the principal of natural justice, pass a fresh order.

9. It goes without saying that firstly, the respondent No. 2 will reinstate the petitioner and thereafter, he shall proceed in the matter as indicated hereinabove.

10. As a result, the instant writ application stands allowed.

(Deepak Roshan, J.)

26th October, 2026
kunal/-
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