

(2004) 09 PAT CK 0148
In the Patna High Court
Case No : C.W.J.C. No. 12 of 2001

Haribansh Prasad Singh and Others

APPELLANT

Vs

State of Bihar and Others

RESPONDENT

Date of Decision : 15-09-2004

Acts Referred:

Citation : (2004) 4 PLJR 716

Hon'ble Judges : Narayan Roy, J

Bench : Single Bench

Advocate : Rajendra Pd. Singh, Niranjan Kumar, Arvind Kumar Singh and Jay Shankar, for the Appellant;

Final Decision : Allowed

Judgement

Narayan Roy, J.—Heard counsel for the parties. This writ application is directed against orders dated 8.11.2000 and 2.12.2000, as contained in annexures 1 and 2, respectively, whereby and whereunder the petitioners have been terminated from the posts of Junior Statistical Supervisor/ Assistant Director (Evaluation).

2. It is submitted by learned counsel for the petitioners that the petitioners were appointed in the years 1977 and 1978 on ad hoc basis and thereafter they were regularized and served under the respondents for sufficiently longer period and now they have been terminated in a most arbitrary and mechanical manner. It is further contended by learned counsel for the petitioners that even the Rules of Law and Principles of Natural Justice were not followed before passing of the impugned orders of termination, inasmuch as no opportunity, whatsoever, was given to the petitioners to represent their respective cases. Learned counsel further submits that similarly situated persons, namely, Vijay Kumar, Paras Nath Ambastha and Mithilesh Kumar Verma, had approached this Court against the impugned orders in C.W.J.C. Nos. 13583 of 2000, 3411 of 2001 and 743 of 2001, respectively, and this Court allowed those writ applications and set aside the orders of termination.

3. Learned counsel for the State, however, is not in a position to dispute these facts and admits that the case of the petitioners is similar to that of Vijay Kumar, Paras Nath Ambastha and Mithilesh Kumar Verma, as referred to above.

4. The case of the petitioners appears to be similar to that of Vijay Kumar, Paras Nath Ambastha and Mithilesh Kumar Verma, as referred to above. Considering the facts and circumstances of the case, this application is allowed in terms of the orders passed by this Court in C.W.J.C. Nos. 13583 of 2000, 3411 of 2001 and 743 of 2001, as referred to above, and the orders impugned, as contained in annexures 1 and 2, respectively, so far as the petitioners are concerned, are set aside.