

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No.780 of 2022

Dr. Chandan Kumar, son of Sant Kumar Sah, resident of Big Bazar, Kola Kusama, Hirapur, P.O. & P.S. Hirapur, District Dhanbad, at present senior resident Dental Department of Shaeed Nirmal Mahto College and Hospital, Dhanbad, P.O., P.S. and District Dhanbad, Jharkhand. **... .. Petitioner**

Versus

1. State of Jharkhand.
2. Principal Secretary, Department of Health, Medical Education and Family Welfare, Government of Jharkhand, Project Building, Dhurwa, P.O. & P.S. Dhurwa, District Ranchi, Jharkhand.
3. Deputy Secretary, Department of Health, Medical Education and Family Welfare, Government of Jharkhand, Project Building, Dhurwa, P.O. & P.S. Dhurwa, District Ranchi, Jharkhand.
4. Superintendent, Shaeed Nirmal Mahto College and Hospital, Dhanbad, P.O., P.S. and District Dhanbad, Jharkhand.

... .. Respondents

CORAM : SRI ANANDA SEN, J

For the Petitioner(s) : Mr. Sandeep Verma, Advocate
 For the Respondent(s): Mr. Gaurav Raj, AC to AAG-II

14/ 20.01.2026

Heard learned counsel representing the petitioner and learned counsel representing the respondents.

2. By filing this writ petition, the petitioner is challenging the Office Order as contained in Memo No.154 / Dhanbad, dated 27.01.2022 (Annexure-4 to the writ petition), whereby the respondents have informed this petitioner that his tenure will come to an end on 25.02.2022, thus he should relinquish the post and handover the charge.

3. The facts of this case are as follows:-

3.1. Admittedly, an Advertisement was published to fill up the posts of Tutor / Senior Resident on the basis of Walk-in-Interview in different departments of Patliputra Medical College and Hospital,

Dhanbad and M.G.M. Medical College and Hospital, Jamshedpur. In the said Advertisement, the tenure of the said appointment was only for three years.

3.2. This petitioner being well aware of the tenure of the post, accepted the same and applied pursuant to the said Advertisement. The petitioner was selected and was appointed. The appointment letter of this petitioner as contained in Notification No.64(9) dated 22.02.2019, has been annexed with the Counter Affidavit as Annexure-B. As per clause-3 of the said Appointment Letter, it has been categorically mentioned that the tenure of the said post is only three years and the appointment will automatically come to an end on expiry of three years.

3.3. On expiry of three years, the petitioner was served with the impugned Office Order, informing him that his tenure would come to an end on 25.02.2022.

4. This petitioner claims to extend the aforesaid tenure and challenged the order. He further prays that till the regular appointment is made, he may be allowed to continue.

5. The prayer of this petitioner cannot be accepted on the ground that the petitioner knowing fully well that the tenure of the said appointment was only for three years, has not challenged the condition and the tenure which was there in the Advertisement and in his Appointment Letter. Once the petitioner has accepted all the conditions laid down in the Appointment Letter, which is in consonance with the Advertisement, he has got no right to challenge the same on completion of the said tenure. Further, it is also clear

that the petitioner has got no right to continue on the post after expiry of the tenure which the petitioner was made aware of by the Advertisement and the Appointment Letter also. Thus, I find no merit in this writ petition.

6. Interim order dated 24.02.2022 stands vacated.

7. If in future, the respondents come up with the fresh Advertisement, it will be open to the petitioner to apply against the said Advertisement for the said post.

8. With the aforesaid observations, this writ petition stands **dismissed**.

(ANANDA SEN, J.)

*20th January, 2026
Prashant. Cp-2*

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