

IN THE HIGH COURT OF JHARKHAND AT RANCHI**W.P.(S) No. 6813 of 2018**

Kamal Kishor, aged about 30 years son of Sri Nandu Shaw, resident of Village Piprakala, P.O & P.S. & District-Garhwa
..... Petitioner

Versus

1. The State of Jharkhand through its Chief Secretary.
2. Deputy Commissioner, Garhwa, Collectorate Campus, Bikas Bhawan, P.O , PS & District-Garhwa.
3. Director, State Project, Jharkhand Education Project Council, New Co-operative Building, Shyamali Colony, PO & PS: Doranda, District- Ranchi
4. Regional Deputy Director of Education, Palamau Division, PO & PS: Medininagar, District- Palamau
5. District Education Officer-cum-District Programme Coordinator, Garhwa, Collectorate Campus, Bikas Bhawan, PO, PS & District- Garhwa
6. District Superintendent of Education-cum-District Programme Officer, Garhwa, Collectorate Campus, Bikas Bhawan, PO, PS & District- Garhwa
.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner	: Mr. Ajit Kumar, Adv.
For the Res.-JEPC	: Mr. Krishna Murari, Adv.
	: Mr. Raj Vardhan, Adv.
	: Mr. Ritesh Kr. Pathak, Adv.
For the State	: Mr. Divyam AC to SC-IV

16/Dated:20.04.2026

The instant writ application has been preferred by the petitioner praying for quashing the order dated 04.07.2018 (Annexure-11) whereby the respondent no.5 have discharged the petitioner from his services in terms of letter no.412 dated 03.07.2018 issued by respondent no.4 (Annexure-10) and also for a direction upon respondent authorities to reinstate the petitioner in service.

2. From bare perusal of the impugned order, it is evident that the same is stigmatic in nature but it is an admitted fact that the petitioner was working as a contractual employee under *Rashtriya Madiyamik Siksha Abhiyan* scheme which has completed its term. In other words; now there is no scheme of Sarva Shiksha Abhiyan.

3. From perusal of the writ application itself, it appears that a show cause was issued to the petitioner and on 21.06.2018 the petitioner has submitted his explanation and as alleged by the petitioner the explanation has not been considered in the impugned order. Thus, there is two grounds on which the petitioner is assailing the impugned order of termination (Annexure-11).

4. Firstly, the order is stigmatic in nature and secondly no stigmatic order can be passed even in a case of contractual/temporary employee without following principal of natural justice.

5. This Court agrees with the said proposition that stigmatic order should not be passed without following principal of natural justice, but from the averment made in para-16 of the writ petition itself it appears that the show cause was issued to the petitioner and he has duly replied to the same.

Interestingly, for the reason best known to the petitioner, the explanation has not been annexed with the writ application; nor the show cause is annexed. However, from specific averment made in para-16, it is admitted position that the show cause was issued to the petitioner before taking any action; as such, this Court is not inclined to interfere with the impugned order.

6. However, an observation is made that the order impugned which has casted some allegation upon the petitioner shall not come on the way of this petitioner in taking any employment in any government/public job.

7. With the aforesaid observation, the instant writ application stands disposed of. Pending I.A.s if any, also closed.

(Deepak Roshan, J.)

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