

Ogar Ram Vs. State and ors

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Court : Rajasthan Jodhpur

Decided On : Apr-22-2014

Appellant : Ogar Ram

Respondent : State and ors

Judgement :

S.B. Civil Writ Petition No.490/2000 Ogar Ram Vs. State of Rajasthan & Ors.
Order dt:

22. 04/2014 1/3 IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

ORDER

S.B. Civil Writ Petition No.490/2000 Ogar Ram Vs. State of Rajasthan & Ors.
DATE OF

ORDER

:::

22. d April 2014 PRESENT HON'BLE Dr. JUSTICE VINEET KOTHARI
Appearance: Mr. Sandeep Shah, for the petitioner. Mr. S.G. Ojha, for the
respondent No.2 and 3. -- BY THE COURT:

1. By the impugned order dated 27.01.2000 (Annex.7), the Chairman, Municipal
Board, Rani, District: Pali, has overruled the order issued by the Executive Officer,

Municipal Board, Rani vide letter No.2171-2172 dated 27.01.2000 itself and did not extend the contractual employment of the petitioner, Ogar Ram, who was working as Junior Engineer on contractual basis under the 'Nehru Rojgar Yojna', which scheme was over in the year 1997 and the Executive Officer, had assigned him certain other works to be done in the respondent Municipal Board, Rani, District: Pali, however, the Chairman of the Municipal Board felt that the petitioner has not discharged the functions of Junior Engineer properly and on account S.B. Civil Writ Petition No.490/2000 Ogar Ram Vs. State of Rajasthan & Ors. Order dt:

22. 04/2014 2/3 of various reports and material collected against him, the Chairman of the Municipal Board found that his contractual employment did not deserve to be extended further and, accordingly cancelled the order dated 27.01.2000 passed by the Executive Officer, Municipal Board, Pali vide its order dated 27.01.2000 (Annex.7).

2. The petitioner aggrieved by the same, has preferred this writ petition. While issuing notices to the respondents on 14.03.2000, no interim protection was granted to the petitioner protecting his services or to continue the contractual employment and thereafter the stay petition came to be dismissed by another coordinate bench of this Court vide the order dated 12.05.2004.

3. The respondents have filed to the writ petition and opposed the writ petition.

4. Long period of almost 14 years have passed by now and the present status of the other employment of the petitioner is not known to the learned counsel for the petitioner as he has not updated his instructions in this regard. Learned counsel for the petitioner relied upon the decision of a coordinate bench of this Court at Jaipur Bench passed in SBCWP No.5683/1998- Dara Singh & Ors. Vs. Municipal Board, Kaman & Ors.), against which an intra-court appeal was preferred and the same was also decided, however, the fate of the intra-court appeal is also not placed on the record by either side.

5. In view of long lapse of period, the impugned order dated 27.01.2000 (Annex.7) does not deserves to be set aside and no mandamus directions are required to be given at such beleated stage S.B. Civil Writ Petition No.490/2000 Ogar Ram Vs.

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22. 04/2014 3/3 to the respondents to extend the contractual employment of the petitioner and there is no reasonable basis for doing so.

6. Accordingly, the present writ petition is hereby dismissed as having rendered infructuous. A copy of this order be sent to the concerned parties forthwith. (Dr. VINEET KOTHARI), J.

DJ/- 6

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