

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3579 of 2023

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Sheshnath Chand @ Sheshnath Upadhyay, Son of Barmeshwar Upadhyay,
Resident of Village- Akauni, P.S.- Dumraon, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Development, Govt. of Bihar, Patna.
2. The Commissioner, MGNREGA, Rural Development, Govt. of Bihar, Patna.
3. The District Magistrate, Buxar.
4. The District Development Commissioner, Buxar.
5. The District Programme Officer, MGNREGA, Buxar.
6. The Programme Officer, Dumraon, Buxar.
7. Sahdev Kumar Bajrangi, son of Om Prakash, resident of Village- Koran Sarai, Post and P.S.- Koran Sarai, District- Buxar, presently posted as Barefoot Technician at Block- Dumraon, Buxar.
8. Sikandar Singh, son of Rasbihari Singh, resident of Village- Koran Sarai, Post and P.S.- Koran Sarai, District- Buxar, presently posted as Barefoot Technician at Block- Dumraon, Buxar.
9. Shakti Kumar, son of Sriram Paswan, resident of Village- Basgitia, Post and P.S.- Koran Sarai, District- Buxar, presently posted as Barefoot Technician at Block- Dumraon, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Nirbhay Prashant, Advocate
For the Respondent/s : Mr.Anjani Kumar (Aag4)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-10-2023 1. The present writ petition has been filed
seeking the following relief:-

*"i. For issuance of appropriate writ/
writs, order/ orders or direction/
directions in the nature of Mandamus for
directing the respondent authorities to
remove the private respondents from*



the post of Barefoot Technician as they have been selected on the said post without having necessary qualification as per the eligibility criteria mentioned under section 2.5.6 of Master Circular for Guidance for Program Implementation for the financial year of 2016-17 issued by the Ministry of Rural Development, Government of India.

ii. For further directing the Program Officer, Dumraon to appoint the petitioner on the post of Barefoot Technician as he possesses required qualification as per eligibility criteria mentioned under section 2.5.6 of Master Circular for Guidance for Program Implementation for the financial year of 2016-17 issued by the Ministry of Rural Development, Government of India.

iii. For directing the respondent authorities for taking necessary action against the erring officers who without following procedure as laid down under section 2.5.6 of Master Circular, appointed the private respondents as barefoot technician by using colorful exercise of his power in its extremities."

2. At the outset, the learned counsel for the



petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law. Liberty, so sought, is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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