

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4313 of 2023

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Ashraf Alam Son of Late Nasarat Alam R/o Village- Madhopur, P.S.-
Gaunaha, District- West Champaran (Bettiah).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Rural Development Dept., Govt. of Bihar, Patna.
2. The Secretary, Rural Development Dept., Govt. of Bihar, Patna.
3. The Special Work Officer, Rural Works Department, Government of Bihar, Patna.
4. The District Magistrate, West Champaran (Bettiah).
5. The Deputy Development Commissioner, West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Gautam Kumar Yadav, Adv Mr. Sushant Kumar, Adv
For the Respondent/s	:	Mr. Anjani Kumar (AAG-4) Mr. Deepak Sahay jamuar, Adv

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 04-09-2023 1. Heard learned counsel for the petitioner and
learned counsels for the respondents.

2. Learned counsel for the petitioner submits that his
existence as *Gramin Awas Sahayak* has been dispensed without
enquiry.

3. It is not the petitioner's case that he was a
government servant. His existence as a *Sahayak* was under a
scheme, under the District Rural Development Authority. It is
not in dispute that the orders of petitioner's removal dated 4-6-
2018 (Annexure-4) and its affirmation by the Secretary of the



department dated 6-3-2020 (Annexure-6) have been passed by the competent authority after the show cause notice was issued to the petitioner.

4. The petitioner's counsel has also relied upon a judgement said to have been passed in the state of Madhya Pradesh. Apart from the fact that the judgment is passed by a Court having jurisdiction in another state, the Court will record that there is nothing on record to show similarity in the procedure prescribed for removal of *Gramin Awas Sahayak* in the State of Bihar with that in the State of Madhya Pradesh.

5. The writ application has also been filed belatedly, i.e., three years after the appeal was rejected, on 6-3-2020.

6. Considering the totality of the circumstances, this Court finds no merit in the writ application. The same is dismissed.

(Madhuresh Prasad, J)

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