

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17043 of 2010

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1. Saida @ Smt. Saiyada Khatoon W/O Doman Miyan R/O Mohalla-
Ramna Road, P.S.- Civil Line, Distt.- Gaya

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Director Of Education Department Government Of Bihar, Patna
3. School Inspector Cum Deputy Education Director, Bihar, Patna
4. District Education Officer, Gaya
5. Principal, Rajkiya Kanya Uchch Vidyalaya, Gaya

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Respondent/s : Mr. (Gp16)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

5 20-06-2018 Heard learned counsel for the petitioner and counsel
appearing on behalf of the State.

The petitioner has filed a present writ application for a
direction to the respondent to regularize the service of the
petitioner.

Learned counsel for the petitioner submits that the writ
petition may be disposed of with the direction to the respondent to
take final decision on the claim of the petitioner for regularization
of her service. It is true that regularization is not made of
appointment in view of the judgment of the Hon'ble Apex Court
in the Case of **Secretary, State of Karnatana Vs. Uma Devi**
2016 (4) SCC 1. But exception has been carved out in the said



judgment as one time exercise if individual has worked for ten years after following the selection process. The judgment of the Apex Court was further clarified subsequently in the judgment of M.L. Keshri reported in **(2010)9 SCC 247**.

In view of the above, the writ petition is disposed of with the direction to the respondents to consider the case of the petitioner strictly in the light of the Judgment of **Secretary, State of Karnatana (Supra)** and reiterated in the judgment of the Hon'ble Apex Court reported in the case of **M.L. Keshri (2010) 9 SCC 247**.

Entire exercise in this regard may be taken by the respondent within a maximum of three months from the date of receipt / production of a copy of this order.

With the aforesaid, this writ petition is disposed of.

(Anil Kumar Upadhyay, J)

Sanjeev/-

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