

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22923 of 2012

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Bechan Singh S/O Late Jharilal Singh R/O Chunu Bhatti (NEAR Mithila Flower Mill), P.S.- Sadar Town, Ditric- Darbhanga, At Present Posted As Peon At Women Institute Of Technology, L.N.M.U., Darbhanga

... .. Petitioner/S

Versus

1. The Vice-Chancellor L.N.M. University, Kameshwar Nagar, Darbhanga
2. The Registrar, L.N. Mithila University, Darbhanga

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 22976 of 2012

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Ravindra Kamti Son Of Late Batoran Kamti Resident Of Co-Operative Colony (Jp Chowk) Ps - Town Darbhanga, District - Darbhanga

... .. Petitioner/s

Versus

1. The Vice Chancellor LNM Universiry Kameshwar Nagar Darbhanga
2. The Registrar LN Mithila University Darbhanga

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 23030 of 2012

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Nathuni Kamat S/O Late Buchhi Kamat Resident Of Nargauna Palace (University Campus), P.S- Lmnu Thana, District- Darbhanga, At Present Posted As Peon At Vice Chancellor, Residential Office Lnmu Darbhanga.

... .. Petitioner/s

Versus

1. The Vice Chancellor LNM University Kameshwar Nagar Darbhanga.
2. The Registrar, LN Mithila University Darbhanga.

... .. Respondent/s

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Appearance :

(In all the cases)

For the Petitioner/s	:	Mr. Fakruddin Ali Ahmad Mr. Arun Kumar Bhagat
For the State	:	Mr. Ajay Behari Sinha
For the University	:	Ms. Binita Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER



5 20-11-2018

As the common issue is involved in the present batch of writ petitions, the same are being heard analogous and disposed of by this common order.

The petitioners have filed the writ petitions for direction to the respondent authorities to consider their case for regularization of their service. The petitioners claim that they were engaged in the year 1983 but till date their services have not been regularized although similarly situated other employees appointed after the petitioners have been regularized.

The Apex Court in the case of *Secretary, State of Karnataka vs. Uma Devi [(2006) 4 SCC 1]* has held out that regularization is not a mode of appointment. However, exception has been carved out in the case where appointment has been made following the prescribed procedure and the employee has put in 10 years of continuous service. The Apex Court as one time measure directed to consider the case for regular appointment. Similar issue like the case of petitioners was taken to the Supreme Court and the Apex Court has decided the issue in the case of *Amarkant Rai vs. State of Bihar & Ors. [(2015) 8 SCC 265]*.

In view of the above, the writ petitions are disposed of with a direction to the respondents to examine the case of the



petitioners for regularization of their service in terms of the direction of the Apex Court in the case of *Amarkant Rai* (supra) and take a final decision in the matter within a maximum period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petitions stand disposed of.

(Anil Kumar Upadhyay, J)

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