

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25628 of 2019

1. Ramesh Kumar, Son of Parshuram Singh, Resident of Village-Usari, Post Office Dawath, Police Station-Dawath, District-Rohtas.
2. Ramamani Singh @ Ramamuni Singh, Son of Jagu Singh, Resident of Village and Post and Police Station Dawath, District-Rohtas.
3. Kapil Dev Ram, Son of Jhulan Ram, Resident of Village-Devdhi, Post Office-Chatra, P.S.-Dawath, District-Rohtas.
4. Hardev Singh, Son of Nathuni Singh, Resident of Village-Domadihari, Post Office-Chatra, P.S.-Dawath, District-Rohtas.
5. Nand Kumar Singh, Son of Meghraj Singh, Resident of Village-Chavriyan, Post Office-Imirta, P.S.-Surjpura, District-Rohtas.
6. Prafull Kumar, Son of Jairam Singh, Resident of Village-Boddhahi Mathiya, Post Office-Dawath, P.S.-Dawath, District-Rohtas.
7. Sangita Kumari, Wife of Uday Narayan Singh, Resident of Village-Mirzapur, Post Office-Dawath, Police Station-Dawath, District-Rohtas.
8. Dhan Babu Chaudhari, Son of Vakil Chaudhari, Resident of Village-Shitalpur, Post Office-Agrer Kala, P.S.-Surjpura, District-Rohtas.
9. Sangita Kumari @ Sangeeta Devi, Wife of Nand Ji Singh, Resident of Village-Shrikant Pur, Post Office and Police Station-Suryapura, District-Rohtas.
10. Jitendra Kumar Singh, Son of Ram Dayal Singh, Resident of Village-Bodadhi Mathiya, Post Office and Police Station-Dawath, District-Rohtas.
11. Teju Ram, Son of Late Manara-khan Ram, Resident of Village-Dawath, Post Office-Dawath, Police Station-Dawath, District-Rohtas.
12. Pramila Kumari @ Pramila Devi, Wife of Sachitanand Upadhyay, Resident of Village-Bithni, Post Office Police Station-Dawath, District-Rohtas.
13. Brajesh Kumar Singh, Son of Shri Sudarshan Singh, Resident of Village-Mathiya, Post Office Police Station Dawath, District-Rohtas.
14. Rajendra Prasad, Son of Chandra Dev Prasad, Resident of Village-Parasa, Post Office-Basti, Police Station-Dinara, District-Rohtas.
15. Neelam Kumari, Wife of Krishna Murari Singh, Resident of Village-Parasa, P.S.-Dinara, District-Rohtas.
16. Mithilesh Tiwari, Wife of Jatashankar Tiwari, Resident of Village-Shivrajpur, Post Office and Police Station-Bhore, District-Gopalganj.
17. Kumari Kiran, Wife of Kamlesh Thakur, Resident of Village-Jigna Dubey, Police Station-Bhore, District-Gopalganj.
18. Hare Ram Yadav, Son of Dinanath Yadav, Resident of Village and Police Station-District-Gopalganj.
19. Neelam Devi, Wife of Dhananjay Singh, Resident of Village Raghunathpur, Post Office and Police Station-Bhore, District-Gopalganj.
20. Sunanda Singh, Wife of Arvind Kumar Singh, Resident of Village, Post Office and Police Station-Bhore, District-Gopalganj.



The relevant part of the order is quoted below:

“Counsel appearing on behalf of the State submits that the petitioners cannot be granted relief in the nature of direction to the respondents for regularization of their services in view of the judgment of the Apex Court in the case of the Secretary, State of Karnataka and Ors. vs. Umadevi and Others; (2006)4 SCC1

Counsel for the petitioners conceded to the extent that direction for regularization, after the judgment in Umadevi's case, is impermissible. However, he submits that since the petitioners have worked under the scheme of the State Government as such they are entitled to consideration of their age for age relaxation considering the fact that they have worked under the scheme of the State Government, there is absolutely no dispute that these petitioners have rendered services in furtherance of the scheme of the State Government for promoting education pursuant to the constitutional amendment and insertion of Article 21A and Right to Children to Free and Compulsory Education Act, 2009. It is admitted position that petitioners are still continuing.

The Court in the aforesaid circumstances deems it fit and proper to direct the respondents to consider relaxing the age in the event the petitioners are otherwise eligible for the appointment as Panchayat Shikshak as one time



measure considering the fact that they have worked under the scheme of the State Government.

With the aforesaid observation, the writ petition stands disposed of.”

(Anil Kumar Upadhyay, J)

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