

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17068 of 2017**

Ujagar Paswan Son of Ram Balak Paswan, resident of village- Dumri, P.S. Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director of School Education and Literacy Govt. of Bihar New Secretariat, Patna.
3. The Principal Jawahar Navodaya Vidyalaya Sheikhpura.
4. The District Magistrate D.M District- Sheikhpura-cum-Chairman Vidyalaya Administration Committee S

... .. Respondent/s

**Appearance :**

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| For the Petitioner/s | : | Mr.Satish Kumar, Advocate       |
| For the Respondent/s | : | Mr.Smt.Shilpa Singh -GA12       |
| For NVS              | : | Mr. Siddhartha Prasad, Advocate |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      19-02-2020                      Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioner claims regularization on the ground that petitioner has worked for two years as night guard. He placed reliance on the judgment of the Apex Court in Secretary State of Karnataka Vs Uma Devi (2006) 4 SCC Page-1. The judgment of the Apex Court is against regularization. The only exception is incorporated in Para 53 to consider the case of regularization of those whose appointment is not illegal but irregular and completed 10 years of continuous service.

Considering the fact that the petitioner does not qualify the test of exception under Para 53 of Uma Devi case the



writ petition is dismissed.

(Anil Kumar Upadhyay, J)

Niraj/-

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