

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3717 of 2020

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Kamlesh Kumar, Son of Birendra Kumar, Resident of Village-Kare, Police Station-Sheikhpura, District-Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Mass Education, Government of Bihar, Patna.
3. The Principal Secretary, Department of Personnel and Administrative Reforms, Government of Bihar, Patna.
4. The Director, Primary Education, Department of Human Resources Development, Government of Bihar, Patna.
5. The Director, Mass Education, Department of Education, Government of Bihar, Patna.
6. The District Magistrate-cum-Collector, Sheikhpura.
7. The District Mass Education Officer, Munger-cum-Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Kaushal Kumar Jha, Sr. Advocate
For the Respondent/s	:	Mr.Subash Chandra Mishra (Sc16)
		Mr. Satish Kumar Sinha, AC to SC 16

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 16-01-2025 Heard Mr. Kaushal Kumar Jha, learned Sr. counsel appearing on behalf of the petitioner and Mr. Subash Chandra Mishra, learned SC 16 along with Mr. Satish Kumar Sinha, learned AC to SC 16 for the State.

2. Petitioner has *inter alia* prayed for following reliefs in the paragraphs No.1 of the writ petition:-

“(I) For issuance of writ/writs in the nature of Mandamus commanding the Respondents to immediately regularize the service of petitioner on the post of Shiksha Sevi in Non-formal Scheme under Non-



formal Education Service.

(ii) For commanding the Respondents as to why the service of the petitioner has not been regularized as yet though he has worked on the post of Shiksha Sevi from 26.06.1997 to 31.03.2001 which is more than 240 days.

(iii) For commanding the respondents as to why the service of the petitioner has not been regularized though the service of similarly situated persons has already regularized.

(iv) For any other writ/writs, order/orders, direction/directions, as this Hon'ble Court may deem fit and proper under the facts and circumstances of this case."

3. Petitioner has claimed in this writ petition that he was engaged from 26.06.1997 from time to time till 31.03.2001 as a Shiksha Sevi in non-formal scheme at Shekhpura Branch, District Munger and certificate to the said effect has also been granted by the District Education Officer, Sheikhpura, contained in letter no.668 dated 07.11.2008.

4. It is the claim of the petitioner that his regularization has not been entertained by the authorities and as such, he seeks to file a detailed representation before the District Mass Education Officer, Munger-cum-Sheikhpura for redressal of his grievance.

5. Mr. Satish Kumar Sinha, learned counsel appearing on behalf of the State submitted that the writ petition is not



maintainable as scheme of the non-formal education came to an end in the year 2001 and the said scheme is no more being carried by the State Government and in absence of any post of Shiksha Sevi, the claim of the petitioner for being regularized cannot be entertained after much delay of nearly 10 years.

6. The writ petition has been filed in the year 2020 and the said scheme had already came to an end in the year 2001 and petitioner has not given any reason, as to whether, he has made application before any of the authority for his regularization.

7. Having considered the rival submissions made on behalf of the parties, I don't find any merit in the present writ petition, which has been filed belatedly and, accordingly, the same is dismissed.

8. However, it goes without saying that the petitioner may avail remedy before the appropriate forum in accordance with law.

(Purnendu Singh, J)

Sanjay/-

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