

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4854 of 2026

1. Mr. Subodh Kumar S/o Sri Chandrabhushan Prasad Srivastwa, R/o- Mahabir Asthan, P.O. and P.S.- Sasaram and working as computer operator/Assistant of Mahila College, Dalmianagar.
2. Mr. Anant Kumar, S/o- Late Kashi Nath Prasad, R/o- Mohalla- Fazalganj, Ward No. 10, P.O. and P.S- Sasaram, District- Rohtas, and working as night watchman at Sri Shankar College, Sasaram.
3. Suman Kumari, W/o- Shree Shankar Prasad Gupta, R/o- Village- Ahraon, P.O.- Baraon Kala, District- Rohtas and working as computer operator/ Assistant at Sri Shankar College, Sasaram (Rohtas).
4. Mr. Anant Kumar, S/o Shree Vishwanath Singh, R/o Village- Kirhindi, P.O.- Kirhindi, District- Rohtas and working as computer operator/ Assistant at Rohtas Mahila College, Sasaram.
5. Chandan Sharma, S/o- Late Rajdeo Sharma, R/o- Village and P.O.- Agatha, District- Rohtas and working as Night Watchman at Rohtas Mahila College, Sasaram (Rohtas).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Deptt. of Higher Education, Govt. of Bihar, Patna.
2. Director (Higher Education), Deptt. of Higher Education, Govt. of Bihar, Patna.
3. Veer Kunwar Singh University, Ara through its Registrar.
4. The Vice-Chancellor, Veer Kunwar Singh University, Ara.
5. Registrar, Veer Kunwar Singh University, Ara.
6. The Regional Provident Fund Commissioner, R. Block, Road No.6, Serpentine Road, Patna- 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Onkar Kumar, Adv. Dr. Pramod Kumar Singh, Adv. Mr. Akhouri Bipin Srivastava, Adv.
For the State	:	Mr. Ajay Behari Sinha, Sr. Adv., GA-8 Mr. Neeraj Raj, AC to GA-8
For Respondent No.3to5	:	Mr. Rajesh Prasad Chaudhary, Adv. Mr. Shyama Kant Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 15-04-2026 Heard learned counsel for the petitioners, learned

Senior Counsel for respondent-State and learned counsel



appearing for Veer Kunwar Singh University, Ara.

2. With the consent of the parties, this writ application is being disposed of at this stage itself.

3. The petitioners in the present writ application have prayed for the grant of following reliefs:

“(i) To issue direction/order to the respondents to regularize services of the petitioners on their respective posts of computer operator/Assistant and night watchman/Peon in Veer Kunwar Singh University, Ara from the date of their respective initial appointments.

(ii) To ensure salary and other allowance at par with regular employees working and performing same duties in the University in view of principle known as "Equal Pay for Equal Work".

(iii) To allow the benefits of Provident Fund Scheme (E.P.F) as per law to the petitioners from the date of their respective appointments and update P.F account by depositing contribution with 12% interest.”

4. During the course of the argument, learned counsel counsel for the petitioners submitted that the law relating to regularization has subsequently evolved in the case of **Jaggo Vs. Union of India (2024 INSC 1034)**, **Shripal & Anr. Vs. Nagar Nigam, Ghaziabad (Civil Appeal No.8157-8179 of 2024)**, **Dharam Singh & Ors. Vs. State of Uttar Pradesh & Anr. (Civil Appeal No.8558 of 2018)** and **Bhola Nath Vs.**



State of Jharkhand (2026 INSC 1999). All these judgments have been recently delivered by the Hon'ble Supreme Court, wherein as per the learned counsel for the petitioners, the Hon'ble Supreme Court while not departing from the judgment delivered by it in the case of **Secretary, State of Karnataka Vs. Uma Devi**, has clarified that the said judgment cannot be applied in a straight jacket manner in every case without taking into account the ground reality.

5. Learned counsel for the petitioners further submits that from the above enumerated judgments delivered by the Hon'ble Supreme Court, what comes out is that where an employee has been allowed to continue for a long period of time, and the nature of work is not temporary or casual, but of a regular and continuing nature, the situation would stand on a different footing. He further submits that in such situation the Apex Court has recognized that having taken the benefit of such long service the employer cannot simply turn around and denying any form of security and benefits.

6. Learned counsel appearing for the petitioners, therefore, submits that the petitioners may be permitted to file a fresh representation before the Vice-chancellor, Veer Kunwar Singh University, Ara (respondent no.4) in light of the above



enumerated judgments of the Hon'ble Supreme Court and an appropriate direction be issued to the Vice-chancellor, Veer Kunwar Singh University, Ara that if such a representation is received from the petitioners, the same would be decided within a fixed time frame, after giving an opportunity of hearing to the petitioners. Learned counsel for the petitioners also prays that while pressing the fresh representation which the petitioners would be filing, the petitioners may be permitted to rely on other judgments/judicial pronouncements which may help the case of the petitioners.

7. Learned counsel appearing for respondent University does not have any objection to the aforesaid submission made by learned counsel appearing for the petitioners. Even the learned Senior Counsel appearing for respondent-State has no objection to the submission made by learned counsel for appearing for the petitioners.

8. Considering the limited nature of prayer made by learned counsel appearing for the petitioners, this writ application is disposed of granting liberty to the petitioners to file a fresh representation before the Vice-chancellor, Veer Kunwar Singh University, Ara based on the above enumerated judgments of the Hon'ble Supreme Court and other judgments



which the petitioners may choose to rely upon, within two weeks from the date of this order. If such representations are received from the petitioners, the same shall be disposed of within a period of eight weeks from the date of receipt of the representations.

9. Needless to emphasize that the final order which shall be passed by the Vice-chancellor of the respondent University should be a reasoned and speaking order. It is further made clear that in case the petitioners are found entitled to the relief, which the petitioners would be claiming through the representations, the same should be extended to the petitioners within a further period of three months from the date of passing of the final order by the Vice-chancellor of the respondent University.

10. With the aforesaid observation and direction and liberty as granted, the present writ application stands disposed of. Pending I.As, if any will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Prakash Narayan

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