HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 901/2003
URN: CW / 1329U / 2003

Pappu Sharma S/o Shri Ramesh Chand Sharma, aged about 30 years R/o Gram Nangla Khokalia Post Kair Teh. Bayane District Bharatpur.

----Petitioner

Versus

1.Director Sanskrit Education, Rajasthan Ramesh Marg, C-Scheme, Jaipur.
2.The Head Master, Government Primary Sanskrit School Nanglak Khokhalia Tehsil Bayana District Bharatpur.

----Respondents

For Petitioner(s)	:	Mr. Rakesh Sharma.
For Respondent(s)	:	Ms. Deepa Singh on behalf of Ms. Manju Joshi.

HON'BLE MR. JUSTICE INDERJEET SINGH

Order

30/06/2026

1. This writ petition has been filed by the petitioner with the following prayer:-

> "It is, therefore prayed that this Writ Petition may kindly be allowed and by :-
> (1) By an appropriate writ order or direction the respondents may be directed to pay to the petitioner the salary in the regular pay scale of the post of Class-IV servant from the date of his initial appointment with all consequential benefits.
> (ii) By appropriate writ order or direction the respondents may be directed to regularize the services of the petitioner on the post of class-IV employee.
> (iii) By appropriate writ order or direction respondents
> may be directed to pay the due salary of the petitioner w.e.f. 1.12.1996.
> (iv) That if any order is passed during the pendency of the writ petition, adversely affecting the rights of the petitioner or any other action is taken by the respondents

> affecting the right of the petitioner, such order/ action may kindly be taken on record and be treated as pat of this writ petition and be declared to be illegal and may be quash and set aside.
> (v) That any other order or directions which may be deem fit and proper in the facts and circumstances of the case, may, also be passed in favour of the petitioner."

2. Brief facts of the case are that the petitioner was appointed as a Waaterman by the respondents in the year 1991 (Annexure-1). According to the petitioner, he has been continuously working since his appointment till the filing of the present writ petition. However, the grievance of the petitioner is that the respondents have not been paying him the prescribed pay scale.

3. Counsel appearing on behalf of the petitioner submitted that the petitioner is entitled to regularization on the post of Watchman. In support of his submissions, counsel relied upon the judgment passed by a Co-ordinate Bench of this Court in the matter of 'Smt. Bajari Devi Vs. State of Rajasthan & Ors. Passed in S.B. Civil Writ Petition No. 6350/1993, decided on 14.11.2005.

4. On 25.02.2026, this Court passed the following order:-

> "It is informed by learned counsel for the respondent that petitioner left the job on 30.08.2010 and he has already been paid the amount whatsoever was due.
>
> Learned counsel for the petitioner seeks time to take necessary instructions and verify the facts and thereafter if required the arguments may be heard on merits.
>
> List on 17.03.2026."

5. Learned counsel appearing on behalf of the respondents submitted that the petitioner himself left the job on 30.08.2010.

6. Despite sufficient opportunity having been granted, learned counsel for the petitioner has not verified or disputed the aforesaid factual assertion.

7. Heard learned counsel for the parties and perused the material available on record.

8. In the considered opinion of this Court that the petitioner was not appointed against a regular sanctioned post through a due process of recruitment or pursuant to any public advertisement, he was appointed on a fixed salary. If his services have been terminated illegally or without any valid reason, it is open to him to avail the appropriate remedy before the Labour Court/Industrial Tribunal, where evidence can be led by both parties.

9. The petitioner has no enforceable right to seek regularization merely on the basis of his engagement. However, if his services have been terminated in violation of the provisions of Section 25F of the Industrial Disputes Act, 1947, he is at liberty to challenge the same before the competent Labour Court/Industrial Tribunal.

10. In view of the above, no case for interference under Article 226 of the Constitution of India is made out.

11. Accordingly, the writ petition stands dismissed.

(INDERJEET SINGH),J

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