HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 3896/2020

1. Bhawani Singh Chouhan S/o Shri Bal Singh Chouhan, Aged About 54 Years, R/o Village Khejarla Via Pipar City, District Jodhpur.
2. Hukam Singh S/o Shri Ram Lal Verma, Aged About 52 Years, R/o At Present Working As Prabodhak At Government Upper Primary School, Palsaniyo Ki Dhani, Bansur, District Alwar.

----Petitioners

Versus

1. State Of Rajasthan, Through The Director, Elementary Education, Bikaner.
2. The District Education Officer, Elementary Education, Jodhpur.
3. The District Education Officer, Elementary Education, Alwar.

----Respondents

For Petitioner(s) : Mr. Sushil Solanki
For Respondent(s) :

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

30/07/2020

In wake of onslaught of COVID-19, lawyers have been advised to refrain from coming to the Courts.

It is submitted by learned counsel for the petitioners that the case of the petitioners is similar to that of petitioners in ***Suman Jhanwar & Ors. v. State of Rajasthan & Ors. (S.B. Civil Writ Petition No.5405/2012)***, decided on 12.02.2015, whereby this Court directed the petitioners to file appropriate representation before the appointing authority and on filing of such representation, the

petitioners therein have been granted the requisite relief by the respondents and, therefore, the present petitioners may also be granted similar relief as granted in the case of *Suman Jhanwar (supra)*.

In the case of *Suman Jhanwar (supra)*, this Court after hearing the parties, passed the following order:-

> *"Therefore, the present writ petitions are disposed of with liberty and direction to the petitioners to file appropriate representation with relevant evidence before the appointing authority, who has issued the orders of appointment to the petitioners claiming the same relief, as purportedly given to other similar situated persons. It is expected of the respondent authority to pass speaking orders after providing the opportunity of hearing tot he petitioners or their authorized representative as to why similar benefit cannot be extended to them though others persons have been given such benefits. If, however, any adverse order is passed against the petitioners, the petitioners will be at liberty to avail the legal remedy available to them in accordance with law."*

In view of the submissions as noticed hereinbefore, the writ petition filed by the petitioners is disposed of with the similar directions as given in the case of *Suman Jhanwar (supra)*. Stay petition also stand disposed of.

Stay petition also stands disposed of.

(DR. PUSHPENDRA SINGH BHATI),J

45-Sudheer/-