HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 6023/2020

Suresh Chandra Paliwal S/o Shri Mahesh Chandra Paliwal, Aged About 48 Years, R/o Machind Khamnor, Nathdwara, District Rajsamand, Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through Its Principal Secretary, Department Of Rural Development And Panchayati Raj, Government Of Rajasthan, Jaipur.
2. The Director, Rural Development And Panchayati Raj, Government Of Rajasthan, Jaipur.
3. The Zila Parishad, Rajsamand, Through The Additional Chief Executive Officer And District Education Officer (Elementary Education), Rajsamand, Rajasthan.
4. The Chief District Education Officer, Elementary Education, Samagra Siksha, Rajsamand, 'c' Block Elementary Education Officer, Block Khammor, Tehsil Nathdwara, District Rajsamand, Rajasthan.

----Respondents

For Petitioner(s) : Mr. Abhishek Sharma, on video call
For Respondent(s) :

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

05/08/2020

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

This writ petition has been filed by the petitioners seeking the reliefs as mentioned in the writ petition.

It is, inter alia, submitted by learned counsel for the petitioners that the case of the petitioner is similar to that of petitioners in Suman Jhanwar & Ors. v. State of Rajasthan & Ors.:

SBCW 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 herein before, the writ petition filed by the petitioners is disposed of with the similar directions as given in the case of Suman Jhanwar (supra).

(DR.PUSHPENDRA SINGH BHATI),J.

81-Sanjay/-