HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 13045/2020

1. Basanti Bhoi D/o Ganga Ram Bhoi, Aged About 40 Years, R/o Bhoi Mohalla, Bhoiwada, Delwara Tehsil Nathdwara District Rajsamand.
2. Sanwar Mal Jat S/o Shri Sonaram Jat, Aged About 39 Years, R/o Village Gopalpura, Post Nayan, Via Amarsar, District Jaipur.
3. Gaytri Devi Sharma W/o Mahendra Kumar Sharma, Aged About 54 Years, R/o Plot No. 33, Mamta Nagar, Nangal Jaisa Bohara, Dadi Ka Phatak, Jhotwara, Jaipur.
4. Kamlesh Vijay W/o Banwari Lal Vijay, Aged About 50 Years, R/o C-512, Mahesh Nagar, Tonk Phatak, Jaipur.

----Petitioners

Versus

1. The State Of Rajasthan, Through Principal Secretary, Education Department, Govt. Of Rajasthan, Jaipur.
2. Director, Elementary Education, Rajasthan, Bikaner.
3. Chief District Education Officer (H.q), Elementary Education, Jaipur.
4. Chief District Education Officer (H.q), Elementary Education, Rajsamand.
5. Chief District Education Officer (H.q), Elementary Education, Dausa.

----Respondents

For Petitioner(s) : Mr. Sandeep Kalwaniya through Cisco Webex App

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JUSTICE DINESH MEHTA

Order

08/12/2020

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.

(DINESH MEHTA),J

84-A.Arora/-