HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

(1) S.B. Civil Writ Petition No. 13234/2020

Mangeram S/o Shri Kulvant Singh, Aged About 21 Years, R/o Ward No. 6, Badbirana, Tehsil Nohar, District Hanumangarh (Rajasthan)

----Petitioner

Versus

1. The State Of Rajasthan, Through Secretary, Department Of Administrative Reforms (Group - 3), Government Of Rajasthan, Secretariat, Rajasthan, Jaipur.
2. Principal Secretary, Administrative Reforms Department, Rajasthan, Jaipur.
3. Director , Secondary Education, Rajasthan, Bikaner.
4. Rajasthan Subordinate And Ministerial Service Selection Board, Jaipur Through Its Secretary.
5. District Education Officer (Headquarter), Secondary Education, Chittorgarh.

----Respondents

(2) S.B. Civil Writ Petition No. 13235/2020

Imran Khan S/o Mangtu Khan, Aged About 28 Years, Resident Of Ward No. 9, Barkat Colony Bhadra, Tehsil Bhadra, District Hanumangarh (Rajasthan).

----Petitioner

Versus

1. The State Of Rajasthan, Through Secretary, Department Of Administrative Reforms (Group - 3), Government Of Rajasthan, Secretariat, Rajasthan, Jaipur.
2. Principal Secretary, Administrative Reforms Department, Rajasthan, Jaipur.
3. Director , Secondary Education, Rajasthan, Bikaner.
4. Rajasthan Subordinate And Ministerial Service Selection Board, Jaipur Through Its Secretary.
5. District Education Officer (Headquarter), Secondary Education, Chittorgarh.

----Respondents

(3) S.B. Civil Writ Petition No. 13237/2020

Sushil Kumar S/o Shri Ant Ram, Aged About 30 Years, Resident Of Village 36 Lnp, Tehsil Padampur, District Sri Ganganagar (Rajasthan).

----Petitioner

Versus

1. The State Of Rajasthan, Through Secretary, Department

Of Administrative Reforms (Group - 3), Government Of Rajasthan, Secretariat, Rajasthan, Jaipur.

2. Principal Secretary, Administrative Reforms Department, Rajasthan, Jaipur.
3. Director , Secondary Education, Rajasthan, Bikaner.
4. Rajasthan Subordinate And Ministerial Service Selection Board, Jaipur Through Its Secretary.
5. District Education Officer (Headquarter), Secondary Education, Jodhpur.

----Respondents

(4) S.B. Civil Writ Petition No. 13238/2020

Lekh Ram Yadav S/o Shri Sita Ram Yadav, Aged About 42 Years, Resident Of Vpo Banda Colony, Tehsil Anoopgarh, District Sri Ganganagar (Rajasthan).

----Petitioner

Versus

1. The State Of Rajasthan, Through Secretary, Department Of Administrative Reforms (Group - 3), Government Of Rajasthan, Secretariat, Rajasthan, Jaipur.
2. Principal Secretary, Administrative Reforms Department, Rajasthan, Jaipur.
3. Director , Secondary Education, Rajasthan, Bikaner.
4. Rajasthan Subordinate And Ministerial Service Selection Board, Jaipur Through Its Secretary.
5. District Education Officer (Headquarter), Secondary Education, Jaisalmer.

----Respondents

For Petitioner(s)	:	Mr. Inderjeet Yadav, through Cisco Webex App
For Respondent(s)	:	Mr. Vishal Jangid for Mr. Hemant Choudhary, through Cisco Webex App

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JUSTICE DINESH MEHTA

Order

15/12/2020

1. A common grievance has been raised by the petitioners in the present writ petitions citing that the respondents have flouted the guidelines of the State issued on 18.05.2020 and guidelines

dated 29.05.2020 issued by the respondent-Department itself, while allotting districts to the selected candidates.

2. Learned counsel pointed out that many of the candidates having secured lower merit position, have been posted in Hanumangarh district; whereas the petitioners who wanted their posting in Hanumangarh have been deprived.

3. A detailed reply to the writ petition has been filed by the respondents, inter alia justifying the posting made by them.

4. It is asserted by the respondents that the postings have been done strictly in accordance with circular dated 29.05.2020, issued by the Education Department, State of Rajasthan.

5. Learned counsel for the petitioners tried to satisfy the Court that the respondents have deviated from the policy aforesaid and various cases have been flagged.

6. Without going into each of the petitioners' case, the present writ petitions are disposed of with a direction to the petitioners to file a representation(s), pointing out categorically as to which of the candidates, though having secured lower merit position than them, have been given appointment in the district(s) where the petitioners wanted their posting.

7. The petitioners may additionally highlight their grievances or reasons for which they are seeking posting in a particular district.

8. The representation(s) aforesaid shall be addressed to Director, Secondary Education, who shall decide the same by passing a speaking order while giving reasons/justifications in relation to the persons having lower merit position, who have been given posting in the district(s), claimed by the petitioners.

9. The Director shall decide petitioners' representation in light of above observation preferably within 8 weeks of receiving the representation(s).

10. Needless to observe if any of the petitioners' grievance still remains, they will be free to take appropriate legal remedies including laying challenge to the order of the Director, Secondary Education to be passed in furtherance of the order instant.

11. The petitioners may also point out any vacant posts, if available in the districts in which they seek posting. In case posting in such place is permissible/feasible and is not contrary to the guidelines set by the respondents/State, the same shall also be accorded.

12. Stay application(s) also stand disposed of.

(DINESH MEHTA),J

82-85-pooja/-

RAJASTHAN HIGH COURT
सत्यमेव जयते