**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR**

S.B. Civil Writ Petition No. 13201/2020

Ajay Choudhary S/o Shri Baldev Prakash, Aged About 27 Years, Resident Of Village Bolanwali, Tehsil Sangria, 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, Jodhpur.

----Respondents

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| 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 basic grievance has been raised by the petitioner in the present writ petition 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 petitioner who wanted his posting in Hanumangarh has been deprived.

3. A detailed reply to the writ petition has been filed by the respondents, inter alia justifying the postings 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 petitioner tried to satisfy the Court that the respondents have deviated from the policy aforesaid and various cases have been flagged.

6. Without going into petitioner's case, the present writ petition is disposed of with a direction to the petitioner to file a representation, pointing out categorically as to which of the candidates, though having secured lower merit position than him, have been given appointment in the district where the petitioner wanted his posting.

7. The petitioner may additionally highlight his grievances or reasons for which he is seeking posting in a particular district.

8. The representation 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, claimed by the petitioner.

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

10. Needless to observe if the petitioner's grievance still remains, he 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 petitioner may also point out any vacant posts, if available in the districts in which he seeks 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 also stand disposed of.

**(DINESH MEHTA),J**

79-pooja/-

RAJASTHAN HIGH COURT

