HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 12878/2024

1. Omprakash S/o Shri Shyam Manohar, Aged About 36 Years, R/o 8, Holi Ka Khunt, Mohall Sukhneri, Tehsil Chipa Badaud, Belendi, District Baran, Rajasthan.
2. Gopal Lal Saini S/o Shri Ram Nath Saini, Aged About 42 Years, R/o Rungla Ka Bas, Sudhranpara, Dausa, District Dausa, Rajasthan.
3. Dharmveer S/o Shri Bhup Singh, Aged About 39 Years, R/o H.no.242, Ward No.7, Gigorani (10), Sirsa, Haryana-125110.

----Petitioners

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Rural And Panchayati Raj, Government Of Rajasthan, Jaipur, Rajasthan.
2. The Secretary, Department Of Education, Government Of Rajasthan, Jaipur, Rajasthan.
3. The Director, Elementary Education, Bikaner, District Bikaner, Rajasthan.
4. The Chief Executive Officer, Zila Parishad Baran, District Baran, Rajasthan.
5. The District Education Officer (Headquarter), Elementary Education, Baran, District Baran, Rajasthan.

----Respondents

For Petitioner(s) : Mr. Lalit Borana for
Mr. Kailash Jangid.

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

13/08/2024

1. Learned counsel for the petitioners submits that the controversy involved in the present case is squarely covered by a judgment rendered by this court at Jaipur Bench in the case of Om

Prakash & Ors. vs. State of Rajasthan & Ors.: (S.B. Civil Writ Petition No.21214/2017) decided on 21.11.2017 granting relief to the petitioners in light of judgment in the case of Hemlata Shrimali & Ors. Vs. State of Rajasthan & Ors. : S.B. Civil Writ Petition No.3247/2015, decided on 1.4.2015 and relying upon the adjudication in the case of Suman Bai & Anr. v. State of Rajasthan & Ors.: 2009 (1) WLC (Raj.) 381 and, therefore, the present writ petition may also be decided in light of judgment in the case of Om Prakash (supra).

2. Learned counsel, therefore, prays that the petitioners may be permitted to file a detailed representation before the competent authorities for redressal of their grievances.

3. In view of the above, the present writ petition is disposed of with liberty to the petitioners to file a representation to the competent authorities of the department and the competent authorities of the department are directed to decide the same within a period of four weeks from the date of receipt of such representation, keeping in mind the law laid down by this Court in the case of **Om Prakash** (*supra*).

4. The order has been passed based on the submissions made in the petition, the respondents would be free to examine the veracity of the submissions made in the petition and only in case, the averments made therein are found to be correct, the petitioners would be entitled to the relief.

(VINIT KUMAR MATHUR),J

21-Shahenshah/-