HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Special Appeal (Writ) No. 1207/2026
CNR: RJHC020945212026 | URN: SAW / 2404U / 2026

1. State of Rajasthan, Through Secretary, Department of Home Secretariat, Jaipur.
2. Director General of Police, Head Quarter, Jaipur (Rajasthan).
3. Superintendent of Police, Tonk.

----Appellants

Versus

1. Ashwani Gurjar S/o Shri Jai Hanuman Gurjar, Aged About 25 Years, Adopted Son R/o Village Kala Baba, Purani Tonk, Tonk.
2. Joint Secretary, Department of Personnel, Secretariat, Jaipur.

----Respondents

For Appellant(s)	:	Mr. Samee Khan, AAAG, Mr. Vishnu Dutt Sharma, AAAG, Ms. Sunita Meena, AGC, Ms. Epsa Nangalia and Ms. Devakriti Vashishtha on behalf of Mr. Bhuvnesh Sharma, AAG
For Respondent(s)	:	Mr. Akshay Yadav with Mr. Bharat Yadav

HON'BLE THE CHIEF JUSTICE MR. SANJAY K. AGRAWAL
HON'BLE MR. JUSTICE SAMEER JAIN
Order

27/10/2026

1. This writ appeal is directed against the order dated 07.07.2026, by which the learned Single Judge directed the case of the writ petitioner for compassionate appointment to be considered subject to fulfilling the requisite qualifications for the post for which he is entitled for the compensation and appointment and also against directing cost of Rs.1,00,000/-.

2. Learned counsel for the appellants submits that the learned Single Judge was wholly unjustified in directing and imposing cost of Rs.1,00,000/-.

3. Learned counsel for the respondents supports the order of the learned Single Judge.

4. The learned Single Judge in paragraph 13 of its order has directed as under:

> "13.In view of the above, the writ petition deserves to be allowed, hence, the same is hereby allowed. The letter dated 02.03.2023 issued from the Office of Director General of Police, Rajasthan, Jaipur (Annexure-7) is quashed and set aside. The respondents are directed to consider case of the petitioner and allow him appointment on compassionate ground subject to fulfilling the requisite qualifications for the post on which, he is entitled for appointment"

5. A careful perusal of the order would show that the learned Single Judge has only directed to consider the case of the petitioner subject to fulfilling the requisite qualifications for the post for which he is entitled for compensation. As such, it is for the competent authority to consider the case of the appellants in accordance with law and subject to fulfillment of the requisite qualifications for the post within a period of 60 days, that appears to be fair and reasonable. However, the other part of the order imposing cost of Rs.1,00,000/-, is wholly unreasonable and the said part is hereby set aside.

6. The writ appeal is allowed to the extent, as indicated herein above.

7. Pending application(s), if any, stands disposed of.

(SAMEER JAIN),J (SANJAY K. AGRAWAL),CJ

Naval Kishore/Amit/9