HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Civil Writ Petition No. 16568/2026
CNR: RJHC010729072026 | URN: CW / 29221U / 2026

1. Hariram S/o Shri Mangilal, Aged About 53 Years, R/o 71/149, Shiv Vihar, Saran Nagar, Digadi Road, Banar, District Jodhpur. At Present Posting In Band At Reserve Police Line Belt No. 707, District Jodhpur.
2. Bhanwar Lal S/o Shri Madhu Ram, Aged About 49 Years, R/o Nathrau, District Jodhpur, Rajasthan, Rajasthan. At Present Posting In Band At Police Line Ndr/pts Belt No. 791/102, District Jodhpur.

----Petitioners

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Home Affairs, Secretariat, Jaipur, Government Of Rajasthan.
2. The Director General Of Police, Police Headquarter Jaipur, Rajasthan.
3. The Financial Advisor, Police Headquarter, Jaipur, Rajasthan.
4. The Commissioner Of Police, District Jodhpur, Rajasthan.
5. The Superintendent Of Police, District Jodhpur Rural, Rajasthan.
6. The Superintendent Of Police, District Jodhpur City, Rajasthan.

----Respondents

For Petitioner(s) : Mr. SPS Rathore
For Respondent(s) : ---

HON'BLE MR. JUSTICE YOGENDRA KUMAR PUROHIT

Order

10/08/2026

1. Learned counsel for the petitioners submits that the controversy involved in the present case is squarely covered by a

judgment dated 20.12.2023 rendered by a Coordinate Bench of this Court in **S.B. Civil Writ Petition No.3873/2019 (Amar Singh & Ors. Vs. State of Rajasthan & Ors.)** in the following terms:-

> "10. This Court further observes that the judgment rendered by a Division Bench of this Hon'ble Court in the case of State of Rajasthan & Ors. V/s Banney Khan (D.B. Civil Special Appeal (W)No. 763/2011) was challenged before the Hon'ble Apex Court in Civil Appeal No.1766/2015 and the same was affirmed by the Hon'ble Apex Court on 12.05.2015.
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> 11. This Court also observes that the petitioners were appointed on the post in question as M.T. Cadre and thereafter, their next promotional post was Head Constable and then Sub-Inspector as per the M.T. Cadre, and therefore it is clear that the petitioners are eligible for pay scale of the next promotional post, but the said benefit was denied by the respondents, which is not justified in law.
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> 12. This Court further observes that the petitioners at the completion of 9 years of regular services, were granted the pay scale of the next promotional post, but thereafter, on completion of 18 years of the services, the respondents did not grant them the benefits of the next promotional post, which impugned action is not sustainable in the eye of law, because the respondents at the first instance i.e. completion of 9 years of services considered the petitioners for next promotional pay scale as per the M.T. Cadre, but at the same time, denied them the same benefit on completion of 18 years of service.
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> 13. This Court also observes that the impugned action of denial of grant of the pay scale of the next promotional post to the petitioners by the respondents and granting the petitioners the pay scale of different Cadre i.e. Assistant Sub inspector is not permissible in the eye of the law.
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> 14. Thus, in light of the above observations and aforequoted precedent laws as well as looking into the factual matrix of the present case, the present petition is **allowed** and the impugned order dated 10.12.2018 is quashed and set-aside, while directing the respondents to grant to the petitioners the pay scale benefits of the next promotional post as per the M.T. Cadre i.e Sub-Inspector from the date the petitioners became eligible therefor. All pending applications stand disposed of."

2. Learned counsel, therefore, seeks liberty to approach the respondents by way of filing an appropriate representation for redressal of petitioners' grievances in light of the judgment

rendered by this Court in the case of Amar Singh (supra). He further prays that the respondents may be directed to consider and decide the representation at the earliest.

3. Considering the limited prayer made by learned counsel for the petitioners, the writ petition is disposed of with a direction to the petitioners to approach the respondents by way of filing a representation within one week for redressal of their grievances in light of the judgment rendered by this Court in the case of Amar Singh (supra).

4. In the event of filing such representation by the petitioners, the respondents shall consider and decide the same in accordance with law within a period of six weeks from the date of receipt of such representation.

5. Without going into the merits of the case, the present writ petition has been disposed of considering the submissions made by learned counsel for the petitioners. The respondent authorities will be free to examine the representation to be filed by the petitioners in accordance with law after taking into consideration the facts and circumstances of his case.

6. Stay application also stands **disposed of**, accordingly.

(YOGENDRA KUMAR PUROHIT),J

46/Sombeer Singh