



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

S.B. Civil Writ Petition No. 11251 / 2017

Sanjay Singh S/o Shri Rajveer Singh, Aged About 25 Years,
Resident of VPO Santruk, Tehsil Kumher, District Bharatpur, and At
Present Working At Government Primary School, Modji Ka Kheda,
Lasadiya, Udaipur.

-----Petitioner

Versus

1. State of Rajasthan, Through Secretary to the Government,
Rural Development and Panchayati Raj Department, Secretariat,
Jaipur.

2. The Director, Elementary Education, Government of Rajasthan,
Bikaner.

3. The Chief Executive Officer, Zila Parishad, Udaipur.

4. The District Education Officer, Elementary Education, Udaipur.

-----Respondents

For Petitioner(s) : Mr. Kailash Choudhary for Mr. C.S.Kotwani

For Respondent(s) : Mr. Vikas Choudhary for
Mr. S.S.Ladreacha, AAG

HON'BLE MR. JUSTICE ARUN BHANSALI

Order

08/12/2017

Issue notice.

Mr. Vikas Choudhary accepts the notices on behalf of the
respondents. Service is therefore, complete.

With the consent of learned counsel for the parties, the
matter is finally heard at this stage.

By way of this writ petition, the petitioner is seeking
directions to the respondents to regularise/ confirm his services on
the post of Teacher Gr.III.



Learned counsel appearing for the petitioner submits that the controversy involved in this writ petition stands covered by a judgment dated 2.5.17 passed by the Jaipur Bench of this Court in SB Civil Writ Petition No.6614/17, whereby a Coordinate Bench has allowed the said writ petition filed by one Mr. Chhotu Ram Regar in the following terms :-

"A reference has also been made to the order dated 11th September, 2015, in S.B. Civil Writ Petition No.639/2015 : Ashok Kumar Naval & Ors. Versus State of Rajasthan & Ors. Alongwith connected matter i.e. S.B. Civil Writ Petition No. 1692/2015: Ajay Singh & Ors. Versus State of Rajasthan & Ors., observing that the petitioners, who failed to make the cut off after revaluation and revision of merit list shall not be ousted from the service, but their names shall figure at the bottom of the list of the selected candidate. A further direction has been given to the State-respondents to undertake an exercise to confirm the petitioners in service as per Rule 27-B of the Rajasthan Service Rules."

Learned counsel for the petitioner submits that the decision rendered in Chhotu Ram Regar's case (supra) has been further followed by this Court in the matter of 'Sandeep Kumar Bishnoi & Ors. Vs. State of Rajasthan & Ors. (S.B. Civil Writ Petition No.4031/2017) and other connected petitions decided on 19.5.17, which stands affirmed by a Bench of this Court vide judgment dated 5.9.17 rendered in D.B. Special Appeal (Writ) No.690/2017 (State of Rajasthan & Others Vs. Sandeep Kumar Bishnoi & Others) and other connected appeals.

It is not disputed by Mr. Vikas Choudhary, counsel assisting learned Additional Advocate General, appearing on behalf of the respondents that the controversy involved in the matter stands covered by the decisions of this Court in Chhotu Ram Regar's case



(supra) and Sandeep Kumar Bishnoi's case (supra).

In this view of the matter, the writ petition is allowed. The respondents are directed to undertake the exercise to confirm the petitioner in conformity with the Rule 27B of the Rajasthan Service Rules, 1958. The entire exercise in this regard shall be completed within a period of three months from today. No order as to costs.

(ARUN BHANSALI)J.

Surabhii/89

RAJASTHAN HIGH COURT



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