
(2019) 01 RAJ CK 0189

In the Rajasthan High Court

Case No : Civil Writ No. 13259, 19224 Of 2018, 1142, 1123, 1231, 1240 Of 2019

Bhoj Raj Tanwar And Ors

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 24-01-2019

Acts Referred:

Citation : (2019) 01 RAJ CK 0189

Hon'ble Judges : Arun Bhansali, J

Bench : Single Bench

Advocate : Shreekant Verma, Mahaveer Bishnoi, Omprakash, Anjali Gopa

Final Decision : Disposed Off

Judgement

These writ petitions have been filed by the petitioners seeking a direction to the respondents essentially to follow the directions as given by this Court in Suresh Kumar & Ors. v. State of Rajasthan & Ors. : SBCWP No.14497/2017, decided on 19.12.2018, for them also.

This Court in the case of Suresh Kumar & Ors. (supra) directed as under :-

"Consequently, the writ petitions filed by the petitioners are partly allowed. The action of the respondents in confining the posts of GNM for engagement under the NRHM Scheme pursuant to the directions given by this Court in the case of Raj Kumar (supra) to 3704 posts is quashed and set aside, it is held that besides 3704 posts as determined by the respondents, 2500 more posts of GNM as on 15.04.2008 were available for engagement under NRHM Scheme and in view thereof, the respondents are directed to deal with the said 2500 positions of GNM in NRHM Scheme strictly in accordance with the directions issued by this Court on 07.12.2016 in the case of Raj Kumar (supra).

Those engaged on the said 2500 posts, would be treated similarly to the candidates, who were engaged on 3704 posts for all purposes, except for the monetary benefits, which would be available to them from the date of their

actual engagement.

The needful be done by the respondents within a period of six weeks from the date of this order.

No order as to costs."

A perusal of the directions issued by this Court clearly indicate that the directions have not been confined to the petitioners in the writ petitions. The action of the respondents in confining the post of GNM for engagement under the NRHM Scheme pursuant to the directions given by this Court in the case of Raj Kumar & Ors. v. State of Rajasthan & Ors. : SBCWP No.6207/2006, decided on 07.12.2016 to 3704 posts has been quashed and set aside, and a further direction has been given to deal with 2500 positions of GNM under NRHM Scheme strictly in accordance with the directions issued by this Court on 07.12.2016 in the case of Raj Kumar (supra) and further directions have been given.

A apprehension has been expressed by learned counsel for the petitioners that as the petitioners were not parties in the case of Suresh Kumar & Ors. and other connected writ petitions, which were decided by this Court, despite fulfilling the eligibility as per the directions given by this Court on 07.12.2016 in the case of Raj Kumar (supra), they would be left out and therefore, the present writ petitions have been filed.

The apprehension is totally misplaced and is not borne out from the orders passed by this Court. This Court while passing the directions in the case of Suresh Kumar & Ors. (supra) has not restricted the directions to the petitioners therein. The directions are general in nature and would cover each and every candidate, who is eligible in terms of the directions issued by this Court on 07.12.2016 in the case of Raj Kumar (supra).

In view of the above discussion, no further directions are required to be issued in the present writ petitions, the same are, therefore, disposed of.