
(2017) 10 RAJ CK 0029
In the Rajasthan High Court
Case No : 1147 of 2014

Budhi Prakash S/o Shri Om Prakash

APPELLANT

Vs

State of Rajasthan

RESPONDENT

Date of Decision : 23-10-2017

Acts Referred:

Citation : (2017) 10 RAJ CK 0029

Hon'ble Judges : Govind Mathur, Vinit Kumar Mathur

Bench : DIVISION BENCH

Advocate : H.S. Sidhu, Kamal Deep Singh

Final Decision : Dismissed

Judgement

1. This appeal is before us to examine correctness of the order dated 19.02.2014 passed by learned Single Bench in S.B. Civil Writ Petitions No.3328/2008 & 3330/2008.
2. By the order aforesaid, learned Single Bench dismissed the petition for writ preferred by the appellant-petitioners challenging their disengagement from contractual service.
3. Learned Single Bench after examining entire record of the case arrived at the conclusion that the appointment was provided to the appellant-petitioners without adhering the reasonable process and just by acting upon the unilateral application submitted by the person concerned.
4. In appeal, it is stated on behalf of the appellant that learned Single Bench failed to appreciate that adequate evidence by way

of additional affidavit was adduced by the appellant-petitioners to establish that the procedure adopted while making appointment requisite procedure was followed.

5. On asking, learned counsel for the applicant states that no advertisement, as a matter of fact was issued by the respondent, though, some news item appeared on local newspaper and on acting upon the same, the appointments were accorded.

6. On the other hand, learned counsel appearing on behalf of respondents submits that no procedure was adopted before giving appointment to the appellant-petitioners and they were employed purely on contractual basis as stop gape arrangement being relatives of certain existing employees.

7. An additional affidavit sworn-in by one Shri Pramod Kumar Verma, an officer In-charge of the case too has been placed on record in support of the fact stated.

8. In view of the fact stated in the additional affidavit sworn-in by Shri Pramod Kumar Verma, we are having no doubt that the appointments of the appellant-petitioners were erroneous being made without adhering any procedure, as such, learned Single Bench rightly dismissed the petition for writ. The appeal too is dismissed being bereft of merit.