

(2022) 07 RAJ CK 0060

In the Rajasthan High Court

Case No : S.B. Civil Writ Petition No. 14710 Of 2019

Dama Ram Seju

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 26-07-2022

Acts Referred:

Citation : (2022) 07 RAJ CK 0060

Hon'ble Judges : Rekha Borana, J

Bench : Single Bench

Advocate : Pritam Joshi, Shreekant Verma, Sandeep Shah, Abhimanyu Singh Rathore

Final Decision : Disposed Of

Judgement

Rekha Borana, J

Learned counsel for the respondents submits that the controversy in question rests covered by a judgment passed in S.B. Civil Writ Petition No.16565/2018; Roopram & Ors. vs. State of Rajasthan & Ors. decided on 05.07.2022.

Learned counsel for the petitioner does not refute the above submission.

In Roopram's case, this Court observed as under:

"Therefore, the order dated 18.01.2018 vide which the services of the petitioners were protected till the period anyone of the three conditions mentioned therein is fulfilled, has now been taken care of. The project has come to an end and regularly selected candidates have been appointed, therefore, the present petitioners cannot be continued in service. Hence, this Court is not inclined to interfere with the impugned order dated 31.08.2018. However, in view of the office order dated 29.04.2022, it is made clear that if in pursuance to the same, any person is appointed in replacement of any of the petitioners herein, it would be open for the said petitioners to claim priority for continuance in service and the service of such petitioners would not be replaced by any other similarly

situated persons.

The other relief, as prayed for in present writ petitions is for grant of the remuneration for the period for which the petitioners had worked. It has been submitted by the learned AAG that the amount qua the salary of the petitioners till the passing of the impugned order dated 31.08.2018 has already been made to the concerned placement agency and the claim of the petitioners qua the salary if any, till that period, would lie only against the placement agency. So far as the period from 31.08.2018 till date is concerned, learned AAG assures the Court that the same would be paid to the placement agency within a period of eight weeks from the passing of this order.

In view of the submission made by the learned AAG, no direction needs to be passed by this Court qua the said relief too. However, the petitioners would be free to raise their objections, if any, regarding the unpaid salary after the period of eight weeks if the same is not paid till that date.

With the above observations, the present writ petition is disposed of accordingly.”

In view of the ratio as laid down in Roopram’s case (supra) and the above observations, the present writ petition is disposed of.

All pending applications also stand disposed of.