
(2012) 03 RAJ CK 0121

In the Rajasthan High Court

Case No : Civil Writ Petition No. 3595 of 2012

Ghan Shyam Gurjar

APPELLANT

Vs

State and Others

RESPONDENT

Date of Decision : 20-03-2012

Acts Referred:

Citation : (2012) 03 RAJ CK 0121

Hon'ble Judges : Mohammad Rafiq, J

Bench : Single Bench

Judgement

Mohammad Rafiq

1. Both these petitions are filed by the petitioners with the grievance that the respondents are seeking to replace them by another set of contractual/ad hoc employees. Petitioners are working on the post of Computer Teacher/Instructor in Government school on monthly payment of Rs. 2500. They are having the degree of BCA/PGDCA and are discharging duties as Computer Instructor for last three to five years and their engagement was made by the State Government through Educomp Solutions Pvt. Ltd. for the purpose of imparting basic knowledge in computers. They are discharging their duties for minimum eight hours. Now they have been orally told that they will not be engaged in the next academic session and their services would be terminated instead of being regularised. The controversy in the present case is squarely covered by the judgement of this Court in Rajeshwar Singh & Ors. vs. State & Ors., SBCWP No. 12448/2009 and 31 other cognate matter decided on 15.9.2011. Learned counsel invited attention of the Court towards the judgement in Mooli Devi Choudhary & Ors. vs. State of Rajasthan & Ors.-WLC 2010 (4) WLC page 334 wherein it was held that one set of contractual/ad hoc employees cannot be replaced with another employees of same placement agency or any other placement agency.

2. In view of the submissions made, this writ petition is disposed of with the direction that if any representation is made by the petitioners along with the

copy of the judgement in the case of Rajeshwar Singh, supra, the respondents will consider the same and if case of the petitioners is covered by the judgement aforesaid, they would also be extended the same benefit as indicated therein. Compliance be made within a period of six weeks from the date copy of this order is produced before the respondents.