

(2010) 11 RAJ CK 0013

In the Rajasthan High Court

Case No : Civil Miscellaneous 2nd Stay Application No. 7655 of 2010 in Civil Writ Petition No. 10369 of 2009

Mahendra Kumar Raiger and Others

APPELLANT

Vs

State of Raj. and Others

RESPONDENT

Date of Decision : 10-11-2010

Acts Referred:

Citation : (2010) 11 RAJ CK 0013

Hon'ble Judges : Ajay Rastogi, J

Bench : Single Bench

Judgement

Ajay Rastogi, J.—While issuing interim order was passed on 04.09.2009 and it was directed that if any appointment is made by the Respondents on the post of Computer Teacher/Instructor, preference will be given to the Petitioners while making any further appointments. However, reply was filed by the Respondent and in para 12 it has been averred that Petitioner No. 2 Hari Kishan Meena is working in their office obviously through contractor M/s. Compucom Software Limited.

2. Matter has now come up on second stay application filed by Petitioner No. 2 Hari Kishan Meena with the grievance that despite he is working since July, 2005 his contract has been treated to be cancelled and replaced by another incumbent Kamlesh Meena who has been allowed to work as Computer Instructor which is evident from the letter of company dt.30.07.2010.

3. Counsel for Petitioner submits that despite he is working for almost five years as Computer Instructor, has been replaced without any reason or rhyme and even after passing of the interim order by this Court, the Respondents were under an obligation to consider Petitioner's candidature also on preferential basis.

4. Counsel for the Respondents wants time to file reply of the present second stay application.

5. In the meanwhile, Respondents are directed to allow Petitioner No. 2 Hari

Kishan Meena to continue to work on the post which he was holding and be paid his regular consolidated salary till further orders. However, it will be open for the Respondents to deduct it from the contractual amount payable to the contractor. Office to proceed. List along with connected matters.