

(2019) 01 RAJ CK 0202
In the Rajasthan High Court
Case No : Civil Writ No. 15842 Of 2017

Malam Singh Rathore

APPELLANT

Vs

State Of Rajasthan Aond Ors

RESPONDENT

Date of Decision : 25-01-2019

Acts Referred:

Citation : (2019) 01 RAJ CK 0202

Hon'ble Judges : Arun Bhansali, J

Bench : Single Bench

Advocate : Naresh Singh, K.S. Solanki, Manish Patel

Final Decision : Disposed Off

Judgement

Learned counsel Mr. Manish Patel puts in appearance on behalf of the respondents, service is, therefore, complete.

Heard.

Learned counsel for the petitioner states that the controversy involved in the instant writ petition is squarely covered by the order dated 3.4.2015 passed by a Coordinate Bench of this Court in a bunch of writ petitions led by S.B. Civil Writ Petition No.3141/2015 (Jagdish Chandra Khatik & Ors. Vs. State of Rajasthan & Ors.) which were decided in light of the judgment dated 29.7.2009 rendered in the case of Jagdish Bhanoda. Vs. State of Rajasthan & Ors. (S.B. Civil Writ Petition No.773/2009).

Learned counsel for the respondents does not dispute this position.

The prayer made in the instant writ petition is for grant of first selection scale to the petitioner upon completion of 9 years of service in the pay scale of Rs.5000-150-8000 with consequential benefits including fixation of pay and arrears.

Upon having examined the facts of the case at hand in context to the factual

matrix examined by this Court in Jagdish Bhanoda's case which judgment was later on affirmed upto the Hon'ble Supreme Court, this Court is satisfied that the controversy involved in the instant writ petition is squarely covered by the said judgment.

Accordingly, the instant writ petition is disposed of requiring the petitioner to submit a detailed representation to the appropriate authority for ventilating his grievances along with a copy of this order. Upon such representation being received, the appropriate authority shall objectively consider and decide the same in light of ratio of the judgment rendered by this Court in Jagdish Bhanoda. Vs. State of Rajasthan & Ors. (S.B. Civil Writ Petition No.773/2009) by a reasoned speaking order within a period of eight weeks from the date of receipt of such representation.

In case, the petitioner is found entitled to any monetary/terminal benefits, the same shall be granted to them immediately.

If after the disposal of the representation, any of the petitioner's grievances still survives, he shall be at liberty to take recourse to appropriate legal remedy.

No order as to costs.