

(2024) 04 RAJ CK 0094
In the Rajasthan High Court
Case No : Civil Writ Petition No. 6567 Of 2024

Pooja Choudhary And Others

APPELLANT

Vs

State Of Rajasthan And Others

RESPONDENT

Date of Decision : 22-04-2024

Acts Referred:

Citation : (2024) 04 RAJ CK 0094

Hon'ble Judges : Dinesh Mehta, J

Bench : Single Bench

Advocate : O.P. Sangwa

Final Decision : Disposed Of

Judgement

Dinesh Mehta, J

1. It is submitted by the counsel for the petitioners that the issue raised in the present writ petition is covered by the judgment rendered in the case of Dara Singh v. State of Rajasthan & Ors. (S.B. Civil Writ Petition No.11973/2012) decided on 17.12.2012.

2. In the case of Dara Singh (supra), a coordinate Bench of this Court, inter-alia, directed as under :-

"Learned counsel for the petitioner submits that realizing the mistake, appointment has been given, thus, grievance of petitioner to that extent is redressed, but appointment should have been made effective from the date candidates lesser in merit were given appointment with notional benefits.

In view of the prayer made and taking note of the order dated 13.12.2012 whereby petitioner is given appointment realizing mistake by the respondents, I consider it proper to direct that aforesaid appointment should be treated from the date when lesser meritorious candidates were given. The petitioner would, accordingly, be entitled to the notional benefits and seniority from the date persons with less merit were given appointment. The actual benefits would be

allowed from the date of joining pursuant to the order dated 13.12.2012.

With the aforesaid, writ petition stands disposed of.”

3. Without going into the merits of the case, the writ petition is disposed of with direction to the petitioners to file a representation before the competent authority of the respondents along with a certified copy of the order instant and photo-stat copy of the judgment in the case of Dara Singh (supra) with a period of two weeks. .

4. In case, a representation is so addressed within the aforesaid period, the competent authority of respondents shall decide the same and consider petitioners’ entitlement in accordance with the law laid down in the case of Dara Singh (supra) as early as possible, preferably within a period of eight weeks.

5. It is made clear that aforesaid direction to decide the representation has been issued only with a view to ensure expeditious redressal of petitioners’ grievance. The same may not be construed to be an order to decide the representation in a particular manner.

6. Stay application also stands disposed of, accordingly.