
(2019) 01 RAJ CK 0234
In the Rajasthan High Court
Case No : Civil Writs No. 9443 Of 2011

Sagarmal Verma And Ors

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 02-01-2019

Acts Referred:

Rajasthan Land Revenue (Land Records) Rules, 1957 — Rule 286, 286(i)

Citation : (2019) 01 RAJ CK 0234

Hon'ble Judges : Alok Sharma, J

Bench : Single Bench

Advocate : Kapil Jain

Final Decision : Dismissed

Judgement

This petition has been filed with the prayer that the petitioners working as Patwaries with Colonization Department be treated equal to Patwaries working in Patwar Circles under Revenue Department and accordingly they be issued experience certificates and be considered for appointment to the post of Inspector, Land Records.

2. It has been submitted that in the year 2003, the petitioners were appointed to the post of Patwaries and posted in the Colonization Department. On 17.6.2011 Board of Revenue, Ajmer issued an advertisement inviting applications amongst inservice Patwariies of Revenue Department for selection/appointment to the post of Land Revenue Inspector. It has been submitted that the petitioners have more than 8 years experience as Patwaries which renders them eligible yet the respondents are despite request neither counter-signing their experience certificates nor treating them eligible for recruitment / selection to the post of Land Record Inspector. It has been submitted that the mere fortuitous chance of posting in the Department of Colonization and not as Patwaries (Land Records) cannot disqualify the petitioners from participating in the selection process for appointment to the post of Land Record Inspector.

3. Reply to the petition has been filed. It has been submitted that petitioners are working as Patwaries in Colonization Department and constitute a cadre different from that of Patwaries in the Revenue Department. The channel for promotion for Patwaries in the Revenue Department is as Inspector Land Records. Therefore, the petitioners admittedly not in the said cadre are not entitled for selection to the post of Land Record Inspector and admission to the State's training school in view of Rule 286(i) of the Rajasthan Land Revenue (Land Records) Rules of 1957. It has also been submitted that the petitioners have neither challenged the impugned notification dated 17.6.2011 nor the Rule 286 of the Rules of 1957.

4. Heard. Considered.

5. Admittedly the petitioners after being selected as Patwaries were posted in Colonization Department. The cadre of Patwaries in the Colonization Department is different and distinct from that of Patwaries in the Land Revenue Department. The promotion channel to Inspector Land Records is not open to Patwaries, Colonization Department but only to those working as Patwaries with the requisite experience with the Revenue Department.

6. The writ petition in the aforesaid admitted - at least undisputed facts is completely misdirected.

7. In this view of the matter, I find no force in this petition. It is accordingly dismissed.