

(2017) 06 RAJ CK 0059
In the Rajasthan High Court
Case No : 7689 of 2017

Saroj Meel D/o Shri Ramsukh Meel

APPELLANT

Vs

The State of Rajasthan

RESPONDENT

Date of Decision : 30-06-2017

Acts Referred:

Citation : (2017) 06 RAJ CK 0059

Hon'ble Judges : Goverdhan Bardhar

Bench : SINGLE BENCH

Advocate : R.S. Choudhary

Final Decision : Disposed

Judgement

1. The above noted writ petition has been filed with a prayer that respondents have allotted districts to persons having lessor marks than the petitioner in their home districts or near their home districts whereas the petitioner who belongs to Sikar District has been given posting at Nagaur District.

2. Learned counsel appearing on behalf of the petitioner has placed reliance on a judgement rendered by a coordinate bench of this court in S.B.Civil Writ Petition No.9371/2014 Shiv Prasad Nmiwal V/s State of Rajasthan & Ors. decided on 20.07.2015 wherein it was held that posting to the petitioner should be given as per his merit position. Further reliance has also been placed upon judgment rendered by coordinate bench of this court at Jaipur in Civil Writ Petition No.15668/2012 Monika Meel V/s The

Deputy Director, Secondary Education, Jaipur wherein it has been held that meritorious candidates should get preference in their posting. It is also submitted that one post of School Lecturer (Physics) is lying vacant in Sahid Chandan Singh Govt. Adarsh Senior Secondary School Chudoli Khakholi (Dhodh) Sikar.

3. There is no dispute that the petitioner had obtained 569 position in the merit and has been given posting in district Nagaur whereas the persons who are lesser meritorious to her have been given posting either in their home districts or near by.

4. A perusal of the judgment rendered in the case of Monika Meel (supra) shows that direction has been given to the State Government to regulate postings keeping in mind that meritorious candidates would get preference of posting. In Shiv Prasad Nimiwal, coordinate bench of this court had also directed the respondents to give posting to the petitioner as per his merit position. There is no dispute with the fact candidates less meritorious than the petitioner have been given their home districts ignoring the right of the petitioner. This is despite the fact that a general direction had been given as far back as 2012 to the State to regular posting of selected candidates as per merit.

5. In view of above, this writ petition is disposed of with a direction to the respondents to consider case of the petitioner and give him posting on the basis of his merit, if there is a post that is lying vacant in District Sikar. The needful be done within a period of four weeks from today.

6. The writ petition stands disposed of accordingly.