

(2010) 12 RAJ CK 0057
In the Rajasthan High Court
Case No : Civil Writ Petition No. 9035 of 2007

Usha Rani Sharma

APPELLANT

Vs

State of Raj. and Others

RESPONDENT

Date of Decision : 10-12-2010

Acts Referred:

Citation : (2010) 12 RAJ CK 0057

Hon'ble Judges : Ajay Rastogi, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Ajay Rastogi, J.—Counsel for Petitioner submits that controversy raised in the instant petition has been finally decided in bunch of petitions [Rajesh Kr. Koli & (10) ors. v. State and four Ors CWP 7204/2007 connected writ petitions] decided vide common judgment dt.11.12.2008.

2. Counsel for Respondent does not dispute that the controversy raised in the instant petition has been decided vide judgment dt.11.12.2008 (supra) in bunch of petitions and further submits that certain facts were not available at the relevant time when the matter was decided which he wanted to place on record justifying action of the State.

3. This Court while disposing of CWP-7204/2007 and four other connected writ petitions observed as under:

Consequently, these writ petitions succeed and are hereby allowed. Respondents are directed to consider candidature of Petitioners holding them as eligible for appointment to the post of Primary/Upper Primary School Teachers, pursuant to advertisement dt.30/10/06 (Ann.10) and if find place in order of merit, they may be considered for appointment from the date their juniors were given appointment alongwith consequential benefits including notional fixation of pay, assignment of seniority in order of their merit etc, except pecuniary benefits for intervening period during which they have not actually worked. All exercise be

completed to ensure compliance within three months. No costs.

4. In the light of judgment referred to supra, the Petitioner also deserves the same treatment and accordingly writ petition stands allowed in terms referred to in the judgment (supra). The Petitioner shall be entitled to the same relief as granted by this Court.