

(2012) 08 RAJ CK 0156
In the Rajasthan High Court
Case No : Civil Writ Petition No. 3609 of 2012

Vijay Kumar

APPELLANT

Vs

State of Rajasthan and Others

RESPONDENT

Date of Decision : 03-08-2012

Acts Referred:

Citation : (2012) 3 WLN 532

Hon'ble Judges : Govind Mathur, J

Bench : Single Bench

Advocate : Sajjan Singh Rathore, for the Appellant; Y.P. Khileree, Dy. Govt. Counsel, for the Respondent

Judgement

Govind Mathur, J.—The Chief Medical and Health Officer, Pali by different orders passed in the month of May, 2010 employed the petitioners as Higher Auxiliary Nurse & Midwives on contract basis for a term of one year. As per the service contract, the petitioners were required to remain present at the place of posting on every day of the month and against that they were entitled to have remuneration to the tune of Rs. 175/- per day maximum upto the limit of 20 days in a month. After completion of one year of service, the service contract was not extended. The petitioners alleging discrimination on the count that similarly situated persons were given extension of service term preferred this petition for writ.

2. According to Learned Counsel for the petitioner, there was no just and valid reason for not continuing the petitioners in service. Specially, in the circumstances, in other district of the States the persons similarly employed were allowed to continue.

3. A reply to the writ petition has been filed on behalf of the respondents stating therein that the Government of Rajasthan under a circular dt. 27.07.2011 prescribed certain terms and conditions for employing Higher Auxiliary Nurse & Midwives in vaccination programme and the petitioners were not accepting those,

therefore, the term of appointment pertaining to them was not extended.

4. Learned Counsel for the petitioners submit that the petitioners are ready and willing to serve the respondents as per new policy. Having considered the statement made by Learned Counsel for the petitioners at Bar, I deem it appropriate to dispose of this petition for writ by directing the respondents to re-employ the petitioners as Higher Auxiliary Nurse & Midwives in the vaccination programme as per circular dt. 27.07.2011. The petitioners shall be at liberty to agitate their grievance pertaining to the conditions referred in circular dt. 27.07.2011, if required and advised.