

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 3037/2026

1. Har Govind S/o Nathu Lal, Aged About 49 Years, R/o Village Jalera, Post Matunda, District Bundi, Rajasthan.
2. Yogesh Kumar Sharma S/o Shri Mahavir Prasad Gautam, Aged About 51 Years, R/o 1-D-20 Jawahar Nagar Housing Board, District Bundi, Rajasthan.
3. Nasir Hussain S/o Bashir Mohammad, Aged About 48 Years, R/o Meera Gate Hiramn Ji Ka Chowk, District Bundi, Rajasthan.
4. Rashmi Dubey D/o Kailash Chand Dubey, Aged About 50 Years, R/o Bharadwaj Ka Chowk Rawale, District Bundi, Rajasthan.
5. Rampratap Singh S/o Surajbhan Singh, Aged About 50 Years, R/o Indra Colony Nainwa Road, District Bundi, Rajasthan.
6. Khalid Ahmed Sheikh S/o Abdul Saboor, Aged About 55 Years, R/o Gurunank Colony, Talai Ke Pass, District Bundi, Rajasthan.
7. Mohammad Arif S/o Yasin Mohammad, Aged About 52 Years, R/o Kagji Deora Naru Ki Bawdi, District Bundi, Rajasthan.
8. Rustam Ali S/o Nanne Khan, Aged About 55 Years, R/o Ward No. 25, Vivekanand Colony Nainwa, District Bundi, Rajasthan.
9. Ranjana Singh D/o Arjun Singh Khinchi, Aged About 50 Years, R/o Makan No. 1221 M.no. Pratham, District Kota, Rajasthan.
10. Preeti Bala Sharma D/o Krishna Chandra Sharma, Aged About 54 Years, R/o Rawle Ka Chowk, District Bundi, Rajasthan.
11. Sangita Sharma W/o Brijmohan Sharma, Aged About 50 Years, R/o House No. 14, Tirupati Vihar, Bundi, District Bundi, Rajasthan.

-----Petitioners

Versus

1. State Of Rajasthan, Through Secretary, Education, Department, Government Secretariat, Rajasthan, Jaipur.
2. The Director, Secondary Education, Bikaner, Rajasthan.
3. The Director, Elementary Education, Bikaner, Rajasthan.
4. Joint Director, School Education, Kota Division, Kota.
5. District Education Officer, Secondary Education, Bundi.
6. District Education Officer, Elementary Education, Bundi.

-----Respondents

For Petitioner(s) : Ms. Nandpina Gehlot.

HON'BLE DR. JUSTICE NUPUR BHATI

Order

11/02/2026

1. Learned counsel for the petitioners, at the outset, submits that the controversy raised in the instant writ petition, is no more res-integra in view of the adjudication by a Coordinate Bench of this Court at Jaipur Bench in the case of ***Yogesh Kumar Pareek Vs. The State of Rajasthan : S.B. Civil Writ Petition No.3534/2009***, decided on 20th January, 2014, observing thus:

"It is stated that petitioner was appointed on regular basis on the post of Teacher vide order dated 24.01.1992. After joining on 28.01.1992, petitioner was entitled for benefit of service and salary for summer vacation. Respondents denied aforesaid benefit and increment was shifted to the month of March despite of joining of petitioner in the month of January. Accordingly, the respondents be directed to pay salary of summer vacation and also the date of increment be made to January, 1993.

The officer-in-charge of the respondents could not justify the action of the respondents, inasmuch as Circular dated 28.07.2003 clarified that if employee has been appointed on regular basis on probation then he would be entitled for salary of summer vacation even if appointment is after 31st December. No justification is given by the respondents for denial of benefit of increment from January other than erroneously correlating it with the benefit of selection scale and thereby, shifting it by 48 days. I find the action of respondents is illegal, inasmuch as the petitioner is entitled for the benefit of salary of summer vacation as he is covered by the Circular. The petitioner should be given increment counting his service from the date of joining and not by shifting it to the month of March.

Accordingly, the writ petition is allowed and consequential benefit would be given to the petitioner as referred above. He would be entitled to other benefits based on appointment order dated 24.01.1992

and his joining on 28.01.1992, thus benefit of selection scale would also be determined.”

2. Learned counsel for the petitioner further submits that, for the present, the petitioner would be satisfied if the State-respondents to address his representation within a time frame in the backdrop of the order dated 20th January, 2014 in the case of **Yogesh Kumar Pareek** (supra), which he is ready and willing to address within two weeks hereinafter.

3. In view of the limited prayer addressed; the instant writ proceedings are closed with a direction to the petitioner to address a comprehensive representation to the respondents ventilating his grievances.

4. In case, a representation is so addressed within the aforesaid period, the State-respondents are directed to consider and decide the same by a reasoned and speaking order, in accordance with law, as expeditiously as possible; however, in no case later than twelve weeks from the date of receipt of the representation along with a certified copy of this order.

5. With these observations and directions, as indicated above, the writ petition as well as stay petition are disposed off.

6. The order has been passed based on the submissions made in the petition, the respondents would be free to examine the veracity of the submissions made in the petition and only in case, the averments made therein are found to be correct, the petitioner would be entitled to the relief.

(DR.NUPUR BHATI),J