

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

S.B. Civil Writ Petition No. 3033/2026

Karna Ram S/o Shri Ashu Ram, Aged About 38 Years, Resident Of Village And Post Setrawa, Tehsil Shergarh, District Jodhpur, Rajasthan.

-----Petitioner

Versus

1. Rajasthan State Road Transport Corporation, Through Its Chairman And Managing Director, Head Quarter Parivahan Marg, Jaipur.
2. The Executive Director (Administration), Rajasthan State Road Transport Corporation, Parivahan Marg, Head Office, Jaipur.
3. Chief Manager, Rajasthan State Road Transport Corporation, Dungarpur Depot, Dungarpur.

-----Respondents

For Petitioner(s) : Mr. Uttam Singh for Mr. Mukesh Vyas

HON'BLE DR. JUSTICE NUPUR BHATI

Order

12/02/2026

1. Heard learned counsel for the petitioner.
2. Learned counsel for the petitioner submits that the controversy involved in the present case is squarely covered by a judgment of this Court rendered in **S.B. Civil Writ Petition No.8810/2014 "Tara Chand Vs. Rajasthan State Road Transport Corporation & Anr."** decided on 25.01.2017 in the following terms:-

"Apparently, by effect of the above circular, benefit of second selection scale falling due to the petitioner could only have been deferred by two years and not more. In this background, the decision of the respondent Corporation to defer second selection scale admissible to the petitioner from

6.10.2008 to 6.10.2019 is totally unjustified, arbitrary and contrary to the circulars adopted by the Corporation.

The impugned action of the respondents is thus quashed and struck down. The respondents shall extend the benefit of second selection scale to the petitioner by making a deferment of two years from the date of his actual entitlement. Monetary benefits flowing from the above direction shall be paid to the petitioner within a period of six months from today with interest @ 6% per annum from the date of accrual till the date of actual payment. In case, the payment is delayed beyond three months, the interest shall stand enhanced to 9% per annum and shall be recoverable from the official/s responsible for causing the delay if any. The writ petition is allowed in these terms. No order as to costs.”

3. Learned counsel further submits that the order dated 25.01.2017 was affirmed by the Division Bench in D.B. Civil Special Appeal (Writ) No.524/2018 decided on 02.12.2021. Against the order dated 02.12.2021 passed by the Division Bench of this Court, a Special Leave Petition No.10330/2022 was preferred before Hon’ble the Supreme Court and the same was also dismissed vide judgment dated 13.07.2022.

4. In this view of the matter, the learned counsel for the petitioner submit that the petitioner may be permitted to file a representation before the respondents, who shall consider the same in light of the judgment rendered by this Court in the case of Tara Chand (supra).

5. In view of the limited prayer made by the learned counsel for the petitioner, the present writ petition is disposed of with a direction that in the event of filing a representation by the petitioner, the respondent shall decide the same within a period of four weeks from the date of its receipt; if the case of the

petitioner falls within the purview of the law laid down by this Court in the case of Tara Chand (supra).

6. Stay petition also stands disposed of accordingly.

7. 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

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