

HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 3253/2026

Ishwar Khoja S/o Sh. Suraj Basti Ram, Aged About 42 Years, Resident
Of Village And Post Gangwana, District - Nagaur (Raj.)

-----Petitioner

Versus

1. The State Of Rajasthan, Department Of Home, Through Its Joint Secretary, Govt. Secretariat, Jaipur (Raj.).
2. The Principal Secretary, Department Of Finance (Rules), Government Of Rajasthan, Government Secretariat, Jaipur (Raj.).
3. The State Of Rajasthan, Through The Additional Chief Secretary, Home Department, Government Of Rajasthan, Jaipur.
4. The Director General Of Police, (Prisons), Jaipur.
5. The Additional Director General And Inspector General Of Jail, Jaipur.
6. The Deputy Inspector General Of Jail, Jodhpur, Range-Jodhpur.

-----Respondents

For Petitioner(s) : Mr. OP Sangwa

HON'BLE DR. JUSTICE NUPUR BHATI

Order

12/02/2026

1. It is submitted by the counsel for the petitioner that the issue raised in the present writ petition is covered by the judgment in ***Dara Singh v. State of Rajasthan & Ors.: S.B.Civil Writ Petition No.11973/2012***, decided on 17.12.2012.
2. In the case of Dara Singh (supra), a coordinate Bench of this Court, inter alia, directed as under:

“Learned counsel for the petitioner submits that realizing the mistake, appointment has been given, thus, grievance of petitioner to the extent is

redressed, but appointment should have been made effective from the date candidates lesser in merit were given appointment with notional benefits.

In view of the prayer made and taking note of the order dated 13.12.2012 whereby petitioner is given appointment realizing mistake by the respondents, I consider it proper to direct that aforesaid appointment should be treated from the date when lesser meritorious candidates were given. The petitioner would, accordingly, be entitled to the notional benefits and seniority from the date persons with less merit were given appointment. The actual benefits would be allowed from the date of joining pursuant to the order dated 13.12.2012. With the aforesaid, writ petition stands disposed of.”

3. Learned counsel, therefore, prays that the petitioner may be permitted to file a detailed representation before the competent authorities for redressal of his grievances.

4. In view of the above, the present writ petition is disposed of with liberty to the petitioner to file a representation to the competent authorities of the department and the competent authorities of the department are directed to decide the same within a period of four weeks from the date of receipt of such representation, keeping in mind the law laid down by this Court in the case of Dara Singh (supra).

5. 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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