

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

S.B. Civil Writ Petition No. 3308/2026

Jyoti Patidar D/o Shri Govardhan Patidar, Aged About 25 Years,
R/o Ward No. 02, Mukam Salampura, Post Genji Vaya
Vikasnagar, Dungarpur, District Dungarpur, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Education, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. The Secretary, Rajasthan Public Service Commission, Ajmer, Rajasthan.
3. The Director, Secondary Education, Bikaner, District Bikaner, Rajasthan.
4. The Joint Director (School Education), Udaipur Division, Udaipur, Rajasthan.
5. The District Education Officer, Secondary Education, Dungarpur, District Dungarpur, Rajasthan.
6. The District Education Officer, Secondary Education Banswara, District Banswara, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. M.S. Shekhawat.

HON'BLE DR. JUSTICE NUPUR BHATI

Order

10/02/2026

1. Petitioner has raised a grievance that she has not been given posting at Banswara, whereas less meritorious persons have been given posting in Dungarpur.
2. Learned counsel for the petitioner argued that the persons who have secured higher rank should be preferred in giving place of posting, whereas the respondents have violated such principles.

3. Learned counsel for the petitioner, at the outset, submits that the controversy raised, in the instant writ petition, stands resolved in view of the adjudication made by a Coordinate Bench of this Court in the case of Smt. Anju Meena v. State of Rajasthan & Ors.: S.B. Civil Writ Petition Number 2226 of 2014; holding thus:

"Issue notice. Copies of the writ petitions have been supplied to Shri S.K. Gupta, Additional Advocate General for the State.

All these writ petitions have been filed by petitioners working on the post of Teacher Grade- II, Teacher Grade-III and Headmasters, contending that their posting as per instructions of the Government ought to be made as far as possible in the district of their choice on the basis of their merit position. Petitioners have in this connection relied on Circular dated 11/09/2013 issued by the Principal Secretary to Government in its Department of School Education in respect of the Head Masters selected for appointment through Rajasthan Public Service Commission and another Circular dated 03/08/2012 issued by the Additional Chief Secretary of the Government for Rural Development and Panchayati Raj Department in respect of Teachers Gr.II and Gr.III selected for appointment in Primary and Upper Primary Schools of the State.

Learned counsel for the petitioners submitted that a similar writ petition pertaining to Teacher Grade- III was allowed by this Court in S.B. Civil Writ Petition No.15668/2012 : Monika Meel Vs. The Dy.Director, Secondary Education, Jaipur vide order dated 3/10/2012 on the basis of statement made on behalf of the respondent-State that posting in the district of choice would be given to the candidates as per their merit-cum-preference. However, it was also given out that in case of disabled, divorcee, widow and single female, preference will be given to the place of their choice irrespective of their merit position. If any conflict arises in regard to preference inter-se between them, preference would be given to the candidates belonging to any one of these four categories on the basis of his/her merit. Learned counsel for the petitioners have also argued that while some of the candidates have been accommodated within

the district of their choice/preference on the basis of merit but the petitioners have not been afforded similar treatment.

Learned Additional Advocate General appearing for the State submitted that the government is prepared to consider request of the petitioners as per instructions issued by it from time to time in regard to posting. If the instructions dated 03/08/2012 and 11/09/2013 continues to be operative, the government upon petitioners approaching, would consider their request subject to their merit-cum-preference depending on the availability of vacancies in a given district.

Having regard to the facts aforesaid and considering the categorical instructions issued by the government dated 03/08/2012 and 11/09/2013, all these writ petitions are disposed of requiring the respondents to consider the request of the petitioners on their application /representation now submitted for their posting as per their merit-cum-preference subject to availability of vacancies in the district of their choice and appropriate order with regard to their posting/fresh posting/transfer to such district, may be passed within two months from the date such application/representation is submitted before them."

4. It is further contended that for the present; the petitioner would be satisfied, if the State-respondents are directed to decide the representation of the petitioners, within a time frame, which they are ready and willing to address, within two weeks hereinafter.

5. In view of the limited prayer addressed, the instant writ proceedings stand disposed of with a direction to the petitioners to address a comprehensive representation to the respondents.

6. 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 the backdrop of opinion in the case of Smt. Anju Meena (supra), as

expeditiously as possible, however, in no case later than four weeks from the date of receipt of the representation.

7. With the observations and directions, as indicated above, the writ petition stands disposed of.

8. The stay petition also stands disposed of accordingly.

9. 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 petitioners would be entitled to the relief.

(DR.NUPUR BHATI),J

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