

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

S.B. Civil Writ Petition No. 3504/2026

Radha Kishan Saini S/o Ramkishor, Aged About 41 Years, R/o Village Malipura, Post Pansrotiya, Tehsil Piplu, District Tonk, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, School Education Department, Government Secretariat, Rajasthan, Jaipur.
2. The Director, Secondary Education, Bikaner, Rajasthan.
3. The Joint Director, School Education, Ajmer Division, Ajmer.

-----Respondents

For Petitioner(s) : Mr. T.S. Rathore

HON'BLE DR. JUSTICE NUPUR BHATI

Order

13/02/2026

1. Learned counsel for the petitioner submits that the controversy in question rests covered by the judgment passed by a Co-ordinate Bench of this Court at Jaipur in ***S.B. Civil Writ Petition No.7283/2014: Manoj Khandelwal & Ors. Vs. State of Rajasthan & Ors.*** (decided on 16.07.2014). He submits that the petitioner would be satisfied if the respondents are directed to decide the representation of the petitioner in light of the aforesaid judgment.

2. In Manoj Khandelwal's case (supra), it was observed and held as under:

"..... Having regard to the facts of the case, writ petition is disposed of requiring the petitioners to make a representation to respondent no.2-Director, Secondary Education, Bikaner, along with a copy of this order, who shall, after verifying the facts stated above, consider and decide the same by a speaking order within a period of three months from the date of its making, addressing the grievance of the petitioners for extending them the relief as prayed for, as the candidates, who stood lower in merit, are getting benefit of higher pay, seniority, annual grade increments and other service benefits including the selection scales. If the respondent no.2 decides to place the petitioners above in seniority than the candidates who stood lower in merit, then the petitioners would be entitled to all benefits of seniority but they would be entitled only to notional benefits."

3. In view of the submission made, the present writ petition is disposed of with a direction to the competent authority/respondents to decide the representation of the petitioner if filed within a period of fifteen days from now. The representation be decided within a period of six weeks thereafter in accordance with law and keeping in view the observations made in the case of Manoj Khandelwal (supra).

4. The order has been passed based on the submissions made in the petition and by learned counsel for the petitioner before this Court. 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, appropriate orders would be passed in favour of the petitioner.

5. It is made clear that aforesaid direction to decide there presentation has been issued only with a view to ensure expeditious redressal of petitioner's grievance. The same may not

be construed to be an order to decide the representation in a particular manner.

6. Stay petition and pending applications, if any, stand disposed of.

(DR.NUPUR BHATI),J

173-mithil/-