

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

S.B. Civil Writ Petition No. 3920/2026

1. Thaneshwar Koted S/o Shri Kanaji Koted, Aged About 48 Years, R/o Ward No. 01, Kalyanpura Road, Dhariyawad, District Pratapgarh, Rajasthan.
2. Vimala Meena D/o Shri Jomaji, Aged About 36 Years, R/o Ward No. 01, Kalyanpura Road, Dhariyawad, District Pratapgarh, Rajasthan.
3. Krishna Dev Singh Rathore S/o Shri Lalit Singh Rathore, Aged About 35 Years, R/o Ward No. 5, Tambeshra, Tahsil Sajjangarh, District Banswara, Rajasthan.

-----Petitioners

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Personnel (A-Ii) Government Of Rajasthan, Secretariat, Jaipur.
2. Secretary, Tribal Area Development (Tad), Department, Government Of Rajasthan, Secretariat, Jaipur.
3. Commissioner, Tribal Area Development (Tad), Department, Udaipur.
4. Director, Swach Pariyojana, Udaipur.
5. District Project Officer, Swach Pariyojana, Pratapgarh.

-----Respondents

For Petitioner(s) : Mr. Ramdev Potalia.

HON'BLE DR. JUSTICE NUPUR BHATI

Order

23/02/2026

1. At the request of the learned counsel for the petitioners, the matter has been heard for final disposal at the admission stage itself.
2. The learned counsel appearing for the petitioners submits that the facts in the present case is similar to the facts in D.B.

Civil Writ Petition No. 11737/2024 (Rodu Lal & Ors. Vs. State of Rajasthan & Ors.), decided on 26.08.2025.

3. The relevant paragraphs of the order dated 26.08.2025 passed in the case of Rodu Lal (Supra) reads as follows:-
operative portion of the order dated 26.08.2025 reads as follows:-

“41. In light of the aforesaid facts & findings and the judgments, this Court is of the opinion that Rule 3 of the Rules of 2022 has to be read harmoniously, whereby, the petitioners and similarly situated persons, who have been appointed through placement agency after issuance of public advertisement are to be covered under the ambit of Rule 3 of the Rules of 2022. Since, the above rule has been read harmoniously in favour of the petitioners, therefore, there is no requirement to decide question No. (b), which was framed under para 13. The harmonious reading of the Rule itself clarifies that, there ought to be no discrimination between the contractual employees appointed through placement agency as well as the contractual employees appointed directly.

42. For the aforesaid reasons, the writ petitions are allowed in the following terms: (i) The respondents shall consider the individual case of each contractual employee, appointed prior to enforcement of the Rules of 2022 strictly in accordance with Rule 3 of the Rules of 2022, meaning thereby, that if an employee has been appointed on a post created by the Administrative Department with the concurrence of the Finance Department and the appointment has been through issuance of a public advertisement further without there being any differentiation whether the public advertisement has been issued by the State Government or by the placement agency. (ii) If the case of the individual is in conformation with the Rule 3 of the Rules of 2022, as interpreted above, then the benefit of the Rules of 2022 shall be extended to such petitioners.

43. All pending applications, if any, also stand disposed of.”

4. In light of the order cited above, the present writ petition is disposed of in the same terms as in the case of Rodu Lal & Ors. (supra). The petitioners shall be at liberty to make a

representation before the concerned authorities within a period of 15 days. On such representation, the concerned authorities are directed to dispose of the same in light of the decision passed in case of Rodu Lal within a period of two months from the date of receipt of this order.

5. All the pending applications, if any, shall stand disposed of.

(DR.NUPUR BHATI),J

107-S.Sharma/-