

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

S.B. Civil Writ Petition No. 3899/2026

Sudha Sagar Seva Samiti, Erstwhile Known As Managing Committee, Shri Vimal Sagar Jain Middle School, Amilya Ki Bari, Bhilwara Through Its Secretary Narendra Kumar Sethi S/o Pyare Lal Sethi, Aged About 78 Years, R/o H.n. 8-A-1, R.c. Vyas Colony, Near Love Garden, Bhilwara.

-----Petitioner

Versus

1. Sohan Lal Sharma S/o Shri Devi Lal Sharma, R/o Brahmpuri Colony, Kotdi, District Bhilwara.
2. Managing Committee, Shri Vimal Sagar Seva Samiti School, Amilya Ki Bari, Bhilwara Through Its Secretary.
3. The Director, Secondary Education, Rajasthan, Bikaner.

-----Respondents

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For Petitioner(s) : Ms. Anushka Jain.

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**HON'BLE DR. JUSTICE NUPUR BHATI**

**Order**

**23/02/2026**

1. Learned counsel for the petitioner submits that in identical controversy, the Coordinate Bench has granted interim order while issuing notices on 16.02.2026 in SBCWP No.3369/2026 (Sudha Sagar Seva Samiti Vs. Satya Prakash Bhardwaj & Ors.).
2. The interim order dated 16.02.2026 is reproduced hereunder:

*"1. Learned Senior Counsel appearing on behalf of the petitioner submits that the petitioner-Institution, being an aided institution, was receiving 70% grant-in-aid from the respondents. The respondent No. 1 was appointed in the year 1994 and upon coming into force of the Rajasthan Voluntary Rural Education Services Rules, 2010, he was absorbed into the services of the State Government.*

2. *It is further contended that the order passed by the Rajasthan Non-Governmental Educational Institutions Tribunal, Jaipur, could not be complied with as the grant-in-aid amount to the extent of the State Government's share has not been released. It is submitted that after the enactment of the Rules of 2010, the entire service record was forwarded and handed over to the State Government. Thereafter, the institution underwent a change in its name as well as its management.*
3. *Learned Senior Counsel further submits that in pursuance of the order dated 23.10.2019 passed by the learned Tribunal, execution proceedings have been initiated against the petitioner– Institution. It is also submitted that prior to the absorption of respondent No. 1, the petitioner–Institution was receiving 70% grant-in-aid. The Institution is ready and willing to deposit its 30% share in compliance with the order dated 23.10.2019 passed by the learned Tribunal.*
4. *The matter requires consideration.*
5. *Issue notice, returnable within six weeks.*
6. *In the meanwhile, the effect and operation of the order dated 23.10.2019 passed by the Rajasthan Non-Governmental Educational Institutions Tribunal, Jaipur in Case No. 422/2012 shall remain stayed, subject to the petitioner–Institution deposits 30% of the awarded amount excluding the amount payable towards gratuity and leave encashment."*

3. In view of the above, issue notice. Issue notice of the stay application also.
4. In the meanwhile, the effect and operation of the order dated 23.10.2019 passed by the Rajasthan Non-Governmental Educational Institutions Tribunal, Jaipur in Case No. 423/2012 shall remain stayed, subject to the petitioner–Institution deposits 30% of the awarded amount excluding the amount payable towards gratuity and leave encashment.
5. Connect with SBCWP No.3369/2026, as prayed.

**(DR.NUPUR BHATI),J**