



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



S.B. Civil Writ Petition No. 4417/2026

1. Dr. Sunil Khati S/o Pukhraj, Aged About 28 Years, R/o Village Roopathal, Post Arwar, Tehsil Jayal, District Nagaur. At Present Working At Government College, Kuchera. (Assistant Professor Zoology)
2. Dr. Devendra Choudhary S/o Fakir Chand Choudhary, Aged About 35 Years, R/o Gurava Ka Mohalla, Post Jatawas, District Nagaur. At Present Working At Government College, Kuchera. (Assistant Professor Botany).
3. Devendra Chayal S/o Pukhraj, Aged About 25 Years, R/o Near Akashdeep Ashram, Shiv Colony, Deh Road, Post Nagaur, District Nagaur. At Present Working At Government College, Kuchera. (Assistant Professor English).
4. Jitendra Sain S/o Madan Lal Sain, Aged About 24 Years, R/o Rawla Kot, Jhalamand, District Jodhpur.at Present Working At Government College, Kuchera. (Assistant Professor Physics).
5. Sunita Bijarniya D/o Jhabar Mal, Aged About 29 Years, R/o Pujari Ka Bas, Sawaipura, Sikar. At Present Working At Government College, Jaitaran. (Assistant Professor Physics)
6. Jyoti Saini D/o Jagdish Prasad Saini, Aged About 31 Years, R/o Ward No. 7, Rajputo Ka Mohalla, Antela, Virat Nagar, Jaipur. At Present Working At Government College,jaitaran. (Assistant Professor Chemistry).

-----Petitioners

Versus

1. State Of Rajasthan, Through The Principal Secretary, Department Of Higher And Technical Education, Secretariat, Jaipur.
2. Commissioner, Commissionerate Of College Education, Block 4, Shiksha Sankul, Jln Marg, Jaipur.
3. Joint Secretary, Hrd, Commissionerate Of College Education, Block 4, Shiksha Sankul, Jln Marg, Jaipur.
4. Principal, Government College, Kuchera, District Nagaur.



5. Principal, Government College, Jaitaran, Beawar.

-----Respondents

For Petitioner(s) : Mr. Nikhil Dungawat
For Respondent(s) : Ms. Lata Ladrecha for
Mr. S.S. Ladrecha, AAG

HON'BLE DR. JUSTICE NUPUR BHATI

Order

25/02/2026

1. The issue involved in the present case relates to the engagement of guest faculties in various subjects under the Vidya Sambal Yojna and other similar schemes in higher education institutions. The controversy essentially relates to whether such teaching posts in colleges should continue to be held by the existing guest faculties or be opened for fresh appointments in each academic session.

2. This issue involved in the present case has already been considered by the Hon'ble Division Bench of this Court at Jaipur in the case of ***State of Rajasthan & Ors. Vs. Ram Chaturvedi & Ors. (D.B. Special Appeal Writ No. 903/2023)***, decided on 19.09.2025, wherein the Court took note that the State of Rajasthan, in the year 2021, introduced the Vidya Sambal Yojna to engage experts and experienced teachers/trainers as guest faculties in educational institutions wherever more than 60% of the sanctioned posts were lying vacant, with the objective of ensuring continuity of teaching and completion of students' courses.

3. Learned counsel for the respondents submitted that the Hon'ble Division Bench of this Court vide order dated 09.10.2025 passed in the case of ***Dr. Shashi Pandit Vs. The State of***



Rajasthan & Ors. (D.B. Spl. Appl. Writ No. 1270/2025) and other connected matters, referred the issue covered in the present writ petition by referring to another judgment of the Hon'ble Division Bench of this Court at Jaipur in the case of **State of Rajasthan & Ors. Vs. Ram Chaturvedi & Ors. (supra)**.

4. Relevant portion of the order dated 09.10.2025 passed in the case of **Ram Chaturvedi & Ors. (supra)** is reproduced hereunder:

"4. The Hon'ble Coordinate Bench of this Court, vide its order dated 19.09.2025, while according due weightage to the experience of guest faculties, arrived at the following conclusion:-

1. "After carefully considering the judgment passed by the learned Single Judge of this Court in the matter of Ram Chaturvedi & Ors. (supra) as well as the judgment of the Hon'ble Supreme Court in the matter of Manish Gupta & Ors. (supra), we deem it just and proper to dispose of these appeals and modify the judgment dated 23.08.2023 passed by the learned Single Judge as follows:- 2.(1) The respondents/original petitioners/applicants are entitled to continue on their respective posts till they are replaced by existing regular employees or regularly selected candidates through RPSC. 3. (2) The respondents/original petitioners/ applicants would be continued on their posts provided that sufficient number of students are available for the particular courses(s) for which they were appointed. 4.(3) The respondents/original petitioners/applicants would be entitled to honorarium at the rate of Rs.800/- per hour as is being paid to them presently or to be modified by the State from time to time.

5. With the above modification, the present appeals are disposed of."

5. Though the matter is referred to the Larger Bench, the enforceability of the decision in the case of **Ram Chaturvedi (supra)** is still in operation.

6. In view of the above, the present writ petition is disposed of in the same terms, as passed in the case of **State of Rajasthan**



& Ors. Vs. Ram Chaturvedi & Ors. (supra). This direction is subject to the result of the decision of the Larger Bench.

7. All pending applications, if any, stand disposed of.

(DR.NUPUR BHATI),J

61-/Devesh/-