

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

S.B. Civil Writ Petition No. 6341/2026

Managing Committee Shri Shyam Uchh Prathmik Pathshala,
(Shyam Pathshala Samiti) Bhadra, Hanumangarh (Raj.) Through
Secretary, Vijay Shankar S/o Shiv Shankar Age 40 Years.

-----Petitioner

Versus

1. Ravi Shankar Sharma S/o Shri Dhanraj Sharma, R/o Shri Shyam Niwas, Bhadra, Ward No. 15, Tehsil Bhadra, District Hanumangarh (Raj.)
2. The Director, Elementary Education, Bikaner (Raj.) 334001.

-----Respondents

For Petitioner(s)	:	Mr. Himanshu Shrimali.
For Respondent(s)	:	Mr. Kamlesh Sharma for R.2.

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

27/03/2026

1. The petitioner institution has filed the present writ petition challenging the order dated 24.11.2025 passed by the Rajasthan Non-Government Educational Institutions Tribunal, Jaipur, in Application No. 43/2025 titled "*Ravi Shankar Sharma vs. Managing Committee*", to the extent it directs the petitioner institution to comply with the order and make payment of outstanding dues of the employee (Respondent No.1) without prior determination of the actual outstanding amount.
2. Learned counsel for the parties are *ad idem* that the controversy involved in the present case is no longer res integra and stands covered by the judgment of this Court in ***Marudhar Balika Vidhyapeeth Vidyawadi (Higher Secondary) vs. State***

of Rajasthan & Ors. (S.B. Civil Writ Petition No. 6082/2020), decided along with a batch of connected matters on 26.04.2023, wherein the Coordinate Bench, relying upon the Division Bench judgment rendered in **State of Rajasthan & Anr. vs. The Management Committee, Sh. Bhagwan Das Todi College (D.B. Special Appeal (Writ) No. 663/2015)**, decided on 06.11.2015, disposed of the petitions with certain directions.

3. In view of the aforesaid consensus between learned counsel for the parties, the present petition is also disposed of with the following directions:-

(i) The petitioner (Institution) shall send due drawn statements of the employee(s) to the competent authority of the State Government within a period of 15 days from today (if not already sent).

(ii) If the due drawn statement of the employee has already been sent, the Institution shall forward a photocopy of the due drawn statement and order of the Tribunal to the concerned District Education Officer (D.E.O.) within a period of 15 days from today along with a copy of the order instant.

(iii) The concerned District Education Officer/competent authority of the State Government shall examine and process the same and determine the amount payable to respondent No.1-employee within a period of three months from today.

(iv) On determination/calculation of the amount aforesaid, the State Government/competent authority shall send a copy thereof to the Tribunal giving reference of the Case No. and date of decision etc. The State shall also forward a copy to the Educational Institution, where the employee(s) had served.

(v) On receipt of the calculation made by the State Government, the petitioner – Institution will be required to deposit its share of the amount to the tune of 50% with the Tribunal within a period of one month from the date of receipt of the calculation sent by the State Government. It will be required of the Institution to inform the employee(s) about the amount being deposited and the calculation of the amount made by the State.

(vi) On receipt of the information about payment being deposited by the Institution, the respondent No.1-employee will furnish the details of his bank account before the Tribunal.

(vii) The State Government shall deposit its 50% share before the Tribunal within a period of six months of the amount having been determined.

(viii) The amount deposited by the Institution and the State Government will be remitted in the account of the respondent No.1-employee forthwith.

(ix) Upon the full amount as calculated by the State being deposited by the State and the Institutions, the execution proceedings before the Tribunal/Civil Court shall stand closed.

(x) Since the Tribunal has neither determined the amount nor was any dispute about the amount before the Tribunal raised, respondent No.1-employee shall be free to take up his cause afresh before the Tribunal, in case he is not satisfied with the amount calculated by the State Government.

(xi) Till 31.12.2026, the execution proceedings (if any) pending before the Tribunal or in the concerned Civil Court shall remain in abeyance.

4. Stay petition as well as pending applications, if any, stand disposed of.

(MUKESH RAJPUROHIT),J

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