

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

S.B. Civil Writ Petition No. 6422/2026

Pukhraj S/o Sh. Jaisa Ram, Aged About 36 Years, Resident Of
Kundal, Barmer.

-----Petitioner

Versus

1. The State Of Rajasthan, Through The Secretary,
Department Of Home Affairs, Government Of Rajasthan,
Jaipur.
2. The Director General Of Police, Headquarter, Jaipur.
3. The Superintendent Of Police, Sirohi.

-----Respondents

For Petitioner(s) : Ms. Ayushi Solanki

For Respondent(s) : --

HON'BLE MR. JUSTICE SANJEET PUROHIT
Order

25/03/2026

1. Learned counsel for the petitioner submits that in a case having similar controversy in SBCWP No.22409/2025, interim order has been passed by this Court.
2. Heard on the interim stay application.
3. The learned counsel appearing for the petitioner submits that the petitioner was holding the substantive post on the date of commencement of the Rajasthan Scheduled Areas Subordinate, Ministerial and Class-IV Service (Recruitment and Other Service Conditions) Rules, 2014 (hereinafter referred as 'the Rules of 2014') wherein he was recruited to the substantive post of Constable. He has not been allowed to participate in the promotion process for the post of Head Constable, as the respondent did not treat the petitioner to be a part of the TSP cadre.

4. It is submitted that there is a Notification for recruitment to the promotional post of Head Constable. However, he has not been allowed to participate for the above reason. It is also submitted that previously when a similar attempt was made to recruit the Head Constable by promotion, that petitioner was permitted to participate in the examination without giving declaration of results. The petitioner also seeks the same interim order in the present case.

5. This Court having seen the constitution of service of the TSP area as prescribed under the Rules of 2014 is satisfied that the petitioner is part of the TSP cadre. In this regard, Rule 5 of the Rules of 2014 specifically mentions that all the persons holding the substantive post in the scheduled area on the date of commencement of these Rules, are automatically part of the constitution of service of the TSP cadre.

6. As seen, in the present case, the petitioner was holding the substantive post of Constable on the date of commencement of the Rules of 2014, therefore, he is prima facie deemed to be a part of the constitution of service of the TSP cadre.

7. In the said circumstances, the respondents are directed to provisionally allow the petitioner to participate in the selection process of the promotion to the post of Head Constable.

8. Admit. Issue notice to the respondents, returnable within a period of four weeks.

9. List the matter on 27.04.2026.

(SANJEET PUROHIT),J