

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

S.B. Civil Writ Petition No. 6814/2026

1. Ashok Kumar Joshi S/o Shri Pukh Raj, Aged About 59 Years, R/o Ratan Vihar Colony, Dudh Dairy Ke Pass, Jodhpur Road, Balotra District Balotra Rajasthan Presently Posting At Gsss, Budiwada, Block Balotra, District Balotra Rajasthan.
2. Bhatta Ram S/o Sona Ram, Aged About 58 Years, R/o Village Post Mewa Nagar, District Balotra Rajasthan Presently Posting At Gsss, Dandali, Block Sindhari, District Balotra Rajasthan.
3. Ramesh S/o Hira Lal, Aged About 56 Years, R/o Panghat Road, Jeengar Mohalla, Barmer District Barmer Rajasthan Presently Posting At Gsss Budiwada, Block Balotra, District Balotra Rajasthan.
4. Durg Singh Parihar S/o Mangu Singh Parihar, Aged About 56 Years, R/o Village Post Jasol District Balotra Rajasthan Presently Posting At Gsss Sinli Jagir, Block Balotra, District Balotra Rajasthan.
5. Shaitan Singh S/o Shri Mohan Singh, Aged About 56 Years, R/o 1-C/147, Kudi Years, Bhagtasani Housing Board, Jodhpur Presently Posting At Smt. Jeevibai Meghraj Sakariya Government Girls Senior Secondary School Sanderao, District Pali Rajasthan.
6. Mitha Lal Borana S/o Mangilal Borana, Aged About 52 Years, R/o Khadiyo Ka Bas, Bheru At Chowk, Sadri District Pali Rajasthan Present Posting At Devi Chand Maya Chand Borlaiwala Government Senior Becondary School Sadri, District Pali Rajasthan.
7. Prem Singh S/o Shri Jai Singh, Aged About 59 Years, R/o Bagul, Via Khinwara, Tehsil Desuri, District Pali Rajasthan At Present Posted At Gups Bhadras, Sadri, District Pali Rajasthan.
8. Shankar Lal Meena S/o Kela Ram, Aged About 58 Years, R/o Meeno Ka Bas, Barli, Sadri, District Pali Rajasthan At Present Posted At Gups Mandigarh, Tehsil Sadri, District Pali Rajasthan.
9. Shobha Soni D/o Amar Chand Soni, Aged About 52 Years, R/o 44 Vidhyanagar, Behind Bangar College, Pali District

Pali Rajasthan At Present Posted At Gsss Busi, Block Rani,
District Pali Rajasthan.

10. Heera Ram Dangi S/o Daula Ram Dangi, Aged About 55
Years, R/o Bhawani Chowk, Barli, Tehsil Sadri, District Pali
Rajasthan At Present Posted At Gsss Mandigarh, Tehsil
Sadri, District Pali Rajasthan.

-----Petitioners

Versus

1. The State Of Rajasthan, Through The Secretary,
Government Of Rajasthan, Department Of Education,
Jaipur, Rajasthan.
2. The Director, Secondary Education, Bikaner.
3. The Director, Elementary Education, Bikaner.
4. The Joint Director, Secondary Education, Jodhpur.
5. The District Education Officer, (Secondary/elementary),
Balotra.
6. The District Education Officer, (Secondary/elementary),
Barmer.
7. The District Education Officer, (Secondary/elementary),
Pali.

-----Respondents

For Petitioner(s) : Mr. GS Shekhawat

HON'BLE MR. JUSTICE FARJAND ALI

Order

27/03/2026

1. Learned counsel for the petitioners, at the outset, submits
that the controversy raised in the instant writ petition, is no more
res-integra in view of the adjudication by a Coordinate Bench of
this Court at Jaipur Bench in the case of **Yogesh Kumar Pareek
Vs. The State of Rajasthan : S.B. Civil Writ Petition
No.3534/2009**, decided on 20th January, 2014, observing thus:

"It is stated that petitioner was appointed on regular basis on the post of Teacher vide order dated 24.01.1992. After joining on 28.01.1992, petitioner was entitled for benefit of service and salary for summer vacation. Respondents denied aforesaid benefit and increment was shifted to the month of March despite of joining of petitioner in the month of January. Accordingly, the respondents be directed to pay salary of summer vacation and also the date of increment be made to January, 1993.

The officer-in-charge of the respondents could not justify the action of the respondents, inasmuch as Circular dated 28.07.2003 clarified that if employee has been appointed on regular basis on probation then he would be entitled for salary of summer vacation even if appointment is after 31st December. No justification is given by the respondents for denial of benefit of increment from January other than erroneously correlating it with the benefit of selection scale and thereby, shifting it by 48 days. I find the action of respondents is illegal, inasmuch as the petitioner is entitled for the benefit of salary of summer vacation as he is covered by the Circular. The petitioner should be given increment counting his service from the date of joining and not by shifting it to the month of March.

Accordingly, the writ petition is allowed and consequential benefit would be given to the petitioner as referred above. He would be entitled to other benefits based on appointment order dated 24.01.1992 and his joining on 28.01.1992, thus benefit of selection scale would also be determined."

2. Learned counsel for the petitioner further submits that, for the present, the petitioner would be satisfied if the State-respondents to address his representation within a time frame in the backdrop of the order dated 20th January, 2014 in the case of **Yogesh Kumar Pareek** (supra), which he is ready and willing to address within two weeks hereinafter.

3. In view of the limited prayer addressed; the instant writ proceedings are closed with a direction to the petitioner to address a comprehensive representation to the respondents ventilating his grievances.

4. In case, a representation is so addressed within the aforesaid period, the State-respondents are directed to consider and decide the same by a reasoned and speaking order, in accordance with law, as expeditiously as possible; however, in no case later than twelve weeks from the date of receipt of the representation along with a certified copy of this order.

5. With these observations and directions, as indicated above, the writ petition as well as stay petition are disposed off.

6. The order has been passed based on the submissions made in the petition, the respondents would be free to examine the veracity of the submissions made in the petition and only in case, the averments made therein are found to be correct, the petitioners would be entitled to the relief.

(FARJAND ALI),J