

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

S.B. Civil Writ Petition No. 6813/2026

1. Rajesh Ojha S/o Shri Krishna Ojha, Aged About 54 Years, R/o 492, Near Mahalaxmi Temple, Manak Chowk, Aauwa, Tehsil Marwar Junction District Pali Rajasthan At Present Posted At Mg-Gsss, Dhanla, District Pali Rajasthan.
2. Bhagwan Singh Gaur S/o Shri Raghunath Singh, Aged About 60 Years, R/o Village Birwara, Post Farkiya, Tehsil Kekri, District Ajmer (Retired)
3. Prithvi Raj Singh Gaur S/o Shri Raghunath Singh, Aged About 58 Years, R/o Mohan Nagar Colony, Ward No. 6, Ajmer Road, Kekri, Tehsil Kekri District Ajmer Rajasthan At Present Posted At Gsss, Nimod, Block Kekri, Disetrick Ajmer Rajasthan.
4. Jorawar Singh Gaur S/o Raghunath Singh, Aged About 55 Years, R/o Village Virwada, Post Farkiya, Tehsil Kekri, District Ajmer, Rajasthan At Present Posted At Pms Gsss, Sakriya, Tehsil Kekri, District Ajmer Rajasthan.
5. Rajendra Singh Gaur S/o Shri Raghunath Singh, Aged About 53 Years, R/o Kalyan Colony, Ajmer Road, Kekri, District Ajmer Rajasthan At Present Posted At Gsss, Para, Block Sawar, District Ajmer Rajasthan.
6. Deepti Sharma D/o Nandlal Sharma, Aged About 56 Years, D/o , Aged About Years, R/o Village Sakriya, Tehsil Kekri, District Ajmer At Present Posted At Ggsss, Baghera, District Ajmer Rajasthan.
7. Mukhtiyar Bano D/o Fakeer Mohammad Khan, Aged About 57 Years, R/o New Bhatta Colony, Baghera Road, Kekri, Ajmer Rajasthan At Present Posted At Mggsss Dadiya Block Arani, District Ajmer Rajasthan.
8. Gopal Lal Gurjar S/o Jagannath Gurjar, Aged About 56 Years, R/o Lasadiya, Tehsil Kekri, District Ajmer At Present Posted At Ggsss Devgav, Block Kekri, District Ajmer.
9. Hukam Chand Parewa S/o Shri Tulsi Ram Parewa, Aged About 54 Years, R/o House No. 90/3, Near Ajmeri Gate, Kekri, District Ajmer Rajasthan At Present Posted At Gsss, Chhota Lamba, Anrai, District Ajmer Rajasthan.
10. Dilip Kumar S/o Shri Ramlal, Aged About 64 Years, R/o

Ward No. 12, New Colony, Haripur, Raipur, District Pali Rajasthan.

11. Chhotu Dan Sandu S/o Shri Chandi Dan Sandu, Aged About 59 Years, R/o 10, Charnon Ka Mohalla, Anewa, District Pali Rajasthan At Present Posted At Mangleshwar Mahadev Gsss, Mada, Desuri 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, Ajmer.
5. The Joint Director, Secondary Education, Pali.
6. The District Education Officer, (Secondary/elementary), Ajmer.
7. The District Education Officer, (Secondary/elementary), Pali.

-----Respondents

For Petitioner(s)	:	Mr. Tanwar Singh Rathore Mr. Gajendra Singh Shekhawat
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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