

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

S.B. Civil Writ Petition No. 8865/2026

Gopal Chander Verma S/o Hari Ram, Aged About 58 Years, Ward No. 18, Near Masjid, Raisinghnagar, Dist. Sri Ganganagar, Rajasthan. (Presently Posted As Teacher Level 1, 40 Np, Raisinghnagar, Dist. Sri Ganganagar, Rajasthan).

----Petitioner

Versus

1. State Of Rajasthan, Through Its Secretary, Department Of School Education, Government Secretariat, Building, Jaipur.
2. Department Of Finance, Through Secretary Finance, Government Secretariat Building, Jaipur.
3. Director, Secondary Education, Bikaner.
4. Deputy Director, Education Department, Bikaner.
5. Joint Director, Education Department, Churu Division, Churu.
6. District Education Officer, Secondary Education, Sri Ganganagar.

----Respondents

For Petitioner(s) : Mr. Vaibhav Sharma

For Respondent(s) : --

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

08/05/2026

1. By way of filing the present writ petition the petitioner has prayed for the following reliefs:-

"Issue appropriate writ, order or direction directing the respondents to declare that the petitioner's initial date of appointment shall be treated as 06.04.1996, i.e., the date of joining (Annex. 2)

ii. Issue appropriate writ, order or direction directing the respondents to direct the respondents to grant salary for the summer vacation period of the year 1996 to the petitioner and all the consequential and ancillary benefits, including any other monetary benefits arising therefrom;

iii. Pass any other appropriate order which this Hon'ble Court deems just and proper in the facts and circumstances of the case."

2. Learned counsel for the petitioner submitted that the controversy with regard to grant of payment of salary of summer vacations and shifting of date of increment and other benefits has already been set to rest by the Co-ordinate Bench of this Court in ***Yogesh Kumar Pareek Vs. State of Rajasthan & Ors. In S.B. Civil Writ Petition No.3534/2009*** decided on 20.01.2014.

2. Learned counsel for the petitioner further submits that the present writ petition may be disposed of in terms of the order passed by this Court in the case of ***Yogesh Kumar Pareek (supra)***.

3. The order passed by this Court in the case of Yogesh Kumar Pareek (supra) is reproduced below:-

1. Petitioner is aggrieved by denial of salary of summer vacation and shifting of date of increment and other benefits.

2. 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.

3. 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.

4. 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.

5. This also disposes of stay application. Petition Allowed.

4. Accordingly, the present writ petition is disposed of with a direction to respondents to consider and decide the case of

petitioner for grant of salary of summer vacations and shifting of date of increment and other benefits, keeping in view the judgment passed by this Court in the case of **Yogesh Kumar Pareek (supra)** within a period of 90 days from the date of certified copy of this order is placed before them.

(KULDEEP MATHUR),J

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