

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

S.B. Civil Writ Petition No. 9982/2026

1. Pusa Ram S/o Shri Lalu Ram, Aged About 60 Years, R/o Village And Post Rabiya, Tehsil Parbatsar, District Didwana-Kuchaman, Rajasthan. At Present Retired From Gsss Rabiya, District Didwana-Kuchaman.
2. Radhey Shyam Chanvariya S/o Shri Chatru Ram Ji, Aged About 58 Years, R/o Bus Stand Road Ward No. 16, Mandalgarh District Bhilwara, Rajasthan. At Present Posting At Mggs Nai Aabadi, Bigod, District Bhilwara.
3. Hanuman Ram S/o Shri Jetha Ram, Aged About 60 Years, R/o Village And Post Banel, Tehsil Parbatsar, District Didwana-Kuchaman, Rajasthan. At Present Retired From Gsss Chitai, Block Parbatsar, District Didwana-Kuchaman.
4. Mehram S/o Shri Jagannath Ram, Aged About 60 Years, R/o Village And Post Kurada, Tehsil Parbatsar, District Didwana-Kuchaman, Rajasthan. At Present Retired From Gsss Itawa Lakha, District Didwana-Kuchaman.
5. Kishan Singh Jodha S/o Shri Jalam Singh Jodha, Aged About 57 Years, R/o 167, Dileep Nagar, Gali No. 7, Post Punjla, District Jodhpur, Rajasthan. At Present Posting At Gups Desuriya Kharol (Karwad), District Jodhpur.
6. Laxman Ram Bana S/o Shri Arjun Ram, Aged About 56 Years, R/o Village And Post Bajoli, Tehsil Makrana, District Didwana-Kuchaman, Rajasthan. At Present Posting At Gsss Antroli Sanga, Parbatsar, District Didwana-Kuchaman.
7. Vimala Jeengar W/o Shri Devilal Jeengar, Aged About 55 Years, R/o H.no. F-270/2 Vijay Singh Pathik Nagar, District Bhilwara, Rajasthan. At Present Posting At Gsss Bigod, District Bhilwara.
8. Anees Mohammed S/o Sageer Mohammed, Aged About 48 Years, R/o Mirza Mohalla, Malarna Doonger, District Sawai Madhopur, Rajasthan. At Present Posting At Gsss Pachipliya, District Sawai Madhopur.
9. Anwar Ahmed S/o Aejaz Ahmed, Aged About 53 Years, R/o V And P Wazipur, Tehsil Wazipur, District Sawai Madhopur, Rajasthan. At Present Posting At Gsss Bhoori Pahari, District Sawai Madhopur.

10. Phoolchand S/o Late Shri Bhanwer Lal, Aged About 57 Years, R/o Parbatsar, District Didwana-Kuchaman, Rajasthan. At Present Posting At Choti Devi Madhura Saran Gsss, Peeplad, District Nagaur.
11. Azma Parveen W/o Rais Ahmed, Aged About 54 Years, R/o Panch Batti Bawdi Choraha, Civil Line Road Near Naeem Khati, District Tonk, Rajasthan. At Present Posting At Gsss Devpura, District Tonk.
12. Smt. Kamlesh Jatav D/o Shri Pooranmal Jatav, Aged About 58 Years, R/o Ward No. 16 Mandalgarh, District Bhilwara, Rajasthan. At Present Posting At Gsss Baldarkha, Mandalgarh, District Bhilwara.
13. Smt. Kamlesh Choudhary W/o Shri Shyam Sunder Maru, Aged About 60 Years, R/o Aadarsh Colony, Near Bhagat Niwas Kota Road, Mandalgarh, District Bhilwara, Rajasthan. At Present Retired From Gsss Baldarkha, Mandalgarh, District Bhilwara.
14. Purushotam Lal Soni S/o Shri Gopal Lal Soni, Aged About 51 Years, R/o Bai Pass Kachhola, Tehsil Mandalgarh, District Bhilwara, Rajasthan. At Present Posting At Gsss Thalkalan, District Bhilwara.
15. Ram Prasad Dhakar S/o Shri Nandlal Dhakar, Aged About 52 Years, R/o Village Jawanpura, Post Bhagunager, Tehsil Jahazpur, District Bhilwara, Rajasthan. At Present Posting At Gsss Jassu Ji Ka Khera, District Bhilwara.
16. Bheru Lal Dhakar S/o Shri Jalma Dhakar, Aged About 52 Years, R/o Village Harjaspura, Post Sarthala Via Kachhola, District Bhilwara, Rajasthan. At Present Posting At Gsss Sarthala, Mandalgarh, District Bhilwara.
17. Kishan Lal S/o Shri Nangaram, Aged About 67 Years, R/o Ward No. 16, Mandalgarh, District Bhilwara, Rajasthan. At Present Retired From Ggups Sigoli, Mandalgarh, District Bhilwara.
18. Vinod Kumar Bhargava S/o Shri Kailash Chandra Bhargava, Aged About 60 Years, R/o 51 Balaji Nagar, Behind Police Station Salpura Road Bus Stand Ke Pass, Chhabra, District Baran, Rajasthan. At Present Retired From Gsss Hanyahedi (Chhabra), District Baran.
19. Ramswaroop Suthar S/o Shri Balu Lal Suthar, Aged About

- 51 Years, R/o Village Beed Ka Khera, Post Manpura, Tehsil Mandalgarh, District Bhilwara, Rajasthan. At Present Posting At Gps, Padampura, District Bhilwara.
20. Neeru Beniwal D/o Shri Ridhkaran Beniwal, Aged About 52 Years, R/o Village And Post Dholiya Via Jaswantgarh, District Didwana-Kuchaman. At Present Posting At Gsss Reengan, District Didwana-Kuchaman.
21. Ram Singh Meena S/o Shri Bhura Lal Meena, Aged About 54 Years, R/o Village And Post Sarsiya (Kumharwas), Tehsil Jahazpur, District Bhilwara, Rajasthan. At Present Posting At Gsss Thalkalan, Block Mandalgarh, District Bhilwara.
22. Senu Rathore D/o Shri Bhagwan Singh Rathore, Aged About 49 Years, R/o Plot No. 12 A, Prem Nagar, Jhotwara, District Jaipur, Rajasthan. At Present Posting At Ggups Sirsi, District Jaipur.
23. Saraswati Parshar D/o Shri Champalal Sharma, Aged About 50 Years, R/o Savitri Mohalla, Badi Basti, Pushkar, District Ajmer, Rajasthan. At Present Posting At Govt. Shree Swami Ranchordas Upper Primary School, Pushkar, District Ajmer.
24. Asha Arya D/o Shri Ramawatar Soni, Aged About 52 Years, R/o Plot No. 28 B, Sanjay Nagar-B, Pandit Ji Ki Thadi, Kalwar Road, Jhotwara, District Jaipur, Rajasthan. At Present Posting At Ggups Sirsi, District Jaipur.
25. Om Prakash Khatik S/o Shri Magni Ram Khatik, Aged About 57 Years, R/o Bijoliya, Bhilwara, District Bhilwara, Rajasthan. At Present Posting At Gsss, Vikrampura, Bijoliya, District Bhilwara.
26. Sukhdev Dahiya S/o Shri Ramchandra, Aged About 53 Years, R/o Mukam, Post Soyala, Tehsil Baori, District Jodhpur, Rajasthan. At Present Posting At Gsss Asanda, District Jodhpur.
27. Hukam Chand S/o Shri Shriram, Aged About 57 Years, R/o Village Dhokri, Post Shahpur (Dahra), Tehsil And District Alwar, Rajasthan. At Present Posting At Gsss, Vallabhgram, Block Kishangarh Bas, District Khairthal-Tijara.
28. Kishan Kumar S/o Shri Yadram, Aged About 55 Years, R/o

Ward No. 07 Near Dulani School Khairthal, District Khairthal-Tijara, Rajasthan. At Present Posting At Gsss, Vallabhgram, Kishangarh Bas, District Khairthal-Tijara.

29. Sadhana Ahuja D/o Shri Gurmukh Das Ahuja, Aged About 51 Years, R/o 116 Near Homeopathic College, Shivaji Park, District Alwar, Rajasthan. At Present Posting At Gsss, Vallabhgram, Kishangarh Bas, District Khairthal-Tijara.
30. Anuradha Parashar W/o Shri Sujeet Kumar Parashar, Aged About 50 Years, R/o Friends Colony, Pushkar, District Ajmer, Rajasthan. At Present Posting At Gups, Mindkiya, District Didwana-Kuchaman.
31. Jawanaram S/o Shri Bannaram, Aged About 58 Years, R/o V And P Kurada, Tehsil Parbatsar, District Didwana-Kuchaman, Rajasthan. At Present Posting At Gsss, Gacchipura, District Didwana-Kuchaman.

-----Petitioners

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Education, Government Of Rajasthan, Jaipur, Rajasthan.
2. Director, Elementary Education, District Bikaner.
3. Director, Secondary Education, District Bikaner.
4. The Joint Director, Education Department, District Ajmer.
5. The Joint Director, Education Department, District Jodhpur.
6. The Joint Director, Education Department, Jaipur Range, District Jaipur.
7. The District Education Officer, Secondary/elementary Education, District Didwana-Kuchaman.
8. The District Education Officer, Secondary/elementary, District Nagaur.
9. The District Education Officer, Secondary/elementary, District Alwar.
10. The District Education Officer, Secondary/elementary, District Jaipur.
11. The District Education Officer, Secondary/elementary, District Ajmer.

12. The District Education Officer, Secondary/elementary, District Khairthal-Tijara.
13. The Chief Block Education Officer, Makrana, District Didwana-Kuchaman.
14. The District Education Officer, Secondary/elementary, District Bikaner.
15. The District Education Officer, Secondary/elementary, District Bhilwara.
16. The District Education Officer, Secondary/elementary, District Baran.
17. The District Education Officer, Secondary/elementary, District Jodhpur.
18. The District Education Officer, Secondary/elementary, District Sawai Madhopur.
19. The District Education Officer, Secondary/elementary, District Tonk.

----Respondents

For Petitioner(s) : Mr. T.S. Rathore

For Respondent(s) : -

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

07/05/2026

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 petitioners further submits that, for the present, the petitioners would be satisfied if the State-respondents to address their representation within a time frame in the backdrop of the order dated 20th January, 2014 passed in the case of **Yogesh Kumar Pareek (supra)**, which they are ready and willing to address within two weeks hereinafter.

3. In view of the limited prayer addressed; the instant writ proceeding stands closed with a direction to the petitioner to address a comprehensive representation to the respondents ventilating their 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 of.

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.

(KULDEEP MATHUR),J

31-divya/-