

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

S.B. Civil Writ Petition No. 10057/2026

1. Mannu Bala D/o Mahaveer Prasad, Aged About 30 Years, R/o 53, Np, Ganganagar, Jaipur, Rajasthan.
2. Kranti Sharma D/o Kanwar Lal Sharma, Aged About 34 Years, R/o Dhana Mohalla, Mathaniya, Jodhpur, Rajasthan.
3. Santosh D/o Durga Ram, Aged About 31 Years, R/o Kounda, Baner Jajeli, Dalkara, Jodhpur, Rajasthan.
4. Suman Prajapat D/o Ram Sukh Prajapat, Aged About 34 Years, R/o Ward No. 62, 189, Gandhi Nagar, 2Nd Magra Punjla, Jodhpur, Rajasthan.
5. Sulochana Bai D/o Radheshyam, Aged About 35 Years, R/o Beejalwa, Bundi, Rajasthan.
6. Manisha D/o Banwari Lal, Aged About 34 Years, R/o Gram Bairas, Sikar, Rajasthan.
7. Mausai Bairwa D/o Madan Lal, Aged About 33 Years, R/o Gram Manoli, Post Bhater, Tehsil Malarana Doongar, District Sawaimadhopur, Rajasthan.
8. Seema Meena D/o Shyoraj Meena, Aged About 35 Years, R/o Village Dalelpura, Post Phuleta, District Bundi, Rajasthan.
9. Nisha Bhardwaj D/o Subodh Chandra Sharma, Aged About 29 Years, R/o Teacher Colony, Gupteshwar Road, Dausa, Rajasthan.
10. Neetu Saini D/o Kunj Bihari Saini, Aged About 29 Years, R/o Balchand Para, Bundi, Rajasthan.
11. Rajesh Kushawah S/o Ramjilal Kushawah, Aged About 40 Years, R/o Kushwaha Mohalla, Near Bada Talab, Shiwar, District Sawaimadhopur, Rajasthan.
12. Suresh Kumar S/o Megha Ram Meena, Aged About 32 Years, R/o Indra Colony, Dayalpura-I, Jalore, Rajasthan.
13. Megha Chouhan D/o Laxman Singh Chouhan, Aged About 32 Years, R/o 638/1, Behind Girls School, Pathik Nagar Ist, Bijoliya Kalan, Bhilwara, Rajasthan.
14. Devee Kumari D/o Vala Ram, Aged About 29 Years, R/o Pratapgarh, Tehsil Ahore, District Jalore, Rajasthan.
15. Kamlesh Kumar S/o Galba Ram, Aged About 28 Years, R/

o Meeno Ka Was, Godan, District Jalore, Rajasthan.

16. Saroj Kumari D/o Ganga Ram, Aged About 29 Years, R/o Santo Ki Gali, Harji, Tehsil Ahore, District Jalore, Rajasthan.
17. Pankaj Kumar S/o Raga Ram, Aged About 27 Years, R/o Meeno Ka Was, Godan, District Jalore, Rajasthan.
18. Munesh Devi D/o Ratee Ram, Aged About 30 Years, R/o Piryani, Ikran, District Bharatpur, Rajasthan.
19. Hemraj Meghwal S/o Ramlal Meghwal, Aged About 33 Years, R/o Semal Khera, Jhalawar, Rajasthan.
20. Arjun Kumar S/o Japa Ram, Aged About 32 Years, R/o Naya Was, Raipuriya, District Jalore, Rajasthan.
21. Nikita Kanwar D/o Shaitan Singh, Aged About 27 Years, R/o Solankiyo Ka Was, Ahore, District Jalore, Rajasthan.
22. Narayan Lal S/o Bhoma Ram, Aged About 27 Years, R/o Meghwalo Ka Bas, Chhangari, Post Vedia, District Jalore, Rajasthan.
23. Prakash Chandra Meena S/o Brijmohan Meena, Aged About 40 Years, R/o Boslati, Bhomtawara, Udaipur, Rajasthan.
24. Nikita Hada D/o Bhawani Singh Hada, Aged About 30 Years, R/o Khatawada, Bundi, Rajasthan.
25. Rajee Saini D/o Ladu Lal Saini, Aged About 34 Years, R/o Mahadev Mandir Ke Samner, Ward No. 16, Chhatrapura, Bundi, Rajasthan.
26. Kusum Kanwar D/o Mukesh Verma, Aged About 27 Years, R/o 13, Sathoor Gate, Balachandpada, Bundi, Rajasthan.
27. Hansa Choudhary D/o Jamna Lal Choudhary, Aged About 31 Years, R/o 105, Nagrik Nagar, Tonk Road, Sanganer, Jaipur, Rajasthan.
28. Anjum Ansari D/o Abdul Gani Ansari, Aged About 36 Years, R/o Momin Mohalla, Jato Ki Gali, Sanganer, Bhilwara, Rajasthan.
29. Pravin Soni S/o Bheru Lal Soni, Aged About 40 Years, R/o Soni Mohalla, Bakani, District Jhalawar, Rajasthan.
30. Sarita D/o Raghuveer Singh, Aged About 34 Years, R/o Village Khuri, Post Mandela Bara, Tehsil Fatehpur, District Sikar, Rajasthan.

31. Soniya Damor D/o Ramesh Chandra Damor, Aged About 28 Years, R/o Ward No. 2, Uplafala, Shishot, District Dungarpur, Rajasthan.
32. Poonam Kumari D/o Mahaveer Singh, Aged About 34 Years, R/o Near Railway Station, Chirawa, District Jhunjhunu, Rajasthan.
33. Nawal Kishore Gadri S/o Govind Prakash Gadri, Aged About 32 Years, R/o Vpo Methoon, District Jhalawar, Rajasthan.
34. Meenakshi Sharma D/o Rajendra Tengurja, Aged About 38 Years, R/o Pasaunra, Roopwas, District Bharatpur, Rajasthan.
35. Jitendra Rathore S/o Suresh Rathore, Aged About 38 Years, R/o Math Ki Gali, Ummedabad, District Jalore, Rajasthan.
36. Sonu Kumar Khatik S/o Roshan Lal Khatik, Aged About 30 Years, R/o Karda, Udaipur, Rajasthan.
37. Hemanshu Patidar S/o Gehari Lal Patidar, Aged About 31 Years, R/o Vikas Nagar, Dungarpur, Rajasthan.
38. Prem Kumar Menaria S/o Radha Kishan Menaria, Aged About 47 Years, R/o Main Road, Kharsan, District Udaipur, Rajasthan.
39. Bhavesh Meghwal S/o Ram Lal Meghwal, Aged About 29 Years, R/o Vijaybawri, Chor Baori, District Udaipur, Rajasthan.
40. Ramswaroop Vishnav S/o Nandkishor Vishnav, Aged About 39 Years, R/o 1491K, Nakachungi, Ward No. 2, Chhipabarod, District Baran, Rajasthan.
41. Vijay Meghwal S/o Kalu Lal Meghwal, Aged About 33 Years, R/o Meghwal Basti, Pareda, District Udaipur, Rajasthan.
42. Rajendra Kumar Meena S/o Nana Lal Meena, Aged About 35 Years, R/o Intali, Udaipur, Rajasthan.
43. Dharu Ram S/o Bagada Ram, Aged About 29 Years, R/o Ambedkar Nagar, Verala Nadi, Rauta, District Jalore, Rajasthan.
44. Rakesh Pandwala S/o Heera Lal Pandwala, Aged About 34 Years, R/o Dholki Fala, Palpadar, District Dungarpur,

Rajasthan.

45. Kamlesh Kumar Kharadi S/o Virendra Kumar, Aged About 30 Years, R/o Chikalwas, Kanpur, Udaipur, Rajasthan.
46. Neha Kumari Sharma D/o Kailash Chandra, Aged About 32 Years, R/o 143, Brahmano Ka Mohalla, Gangrar, Aajoliya Ka Kheda, Chittorgarh, Rajasthan.
47. Hariraj Mahawar S/o Ganesh Lal Verma, Aged About 35 Years, R/o 61, Police Line Road, Mansarovar Colony, Bundi, Rajasthan.
48. Narayan Lal Meena S/o Pemji Meena, Aged About 35 Years, R/o Village Lalpura, Post Aspuri, District Dungarpur, Rajasthan.
49. Chanda Kumari Raidas D/o Bheru Lal, Aged About 36 Years, R/o Raidas Mohalla, Panamodi, Pratapgarh, Rajasthan.
50. Deepa Meena D/o Goutam Lal Meena, Aged About 31 Years, R/o Khad Fala, Ghodasar, Tehsil Semari, District Udaipur, Rajasthan.
51. Shailendra Singh Chouhan S/o Madan Singh Chouhan, Aged About 27 Years, R/o Nayak Wari, Bhinder, Udaipur, Rajasthan.
52. Ratan S/o Babu Ram, Aged About 34 Years, R/o 290, Chhota Was, Valdara, Jalore, Rajasthan.
53. Sanjeev Joshi S/o Heera Lal Joshi, Aged About 40 Years, R/o Shanti Nagar, Hatwara Road, Plot No. 2B, Karni Colony, Jaipur, Rajasthan.
54. Baldev Kumar Mangalika S/o Himta Ram, Aged About 33 Years, R/o Bhilo Ka Was, Chirodi, District Jalore, Rajasthan.
55. Kesu Choudhary D/o Kana Ram Choudhary, Aged About 33 Years, R/o Shree Sachiyay Colony, Hotel Shree Ganesh, Osian, District Jodhpur, Rajasthan.
56. Harish Kumar S/o Ramesh Kumar, Aged About 27 Years, R/o Ward No. 22, Shiv Colony, Chirawa, District Jhunjhunu, Rajasthan.
57. Sarita Gupta D/o Narendra Kumar Gupta, Aged About 31 Years, R/o Shiv Colony, 40, Gudha Road, Bandikui, District Dausa, Rajasthan.

58. Sweeti Ninama D/o Ishwar Lal, Aged About 28 Years, R/o Chhoti Sarwan, Katumbi, District Banswara, Rajasthan.
59. Rajani Rao D/o Azad Signh Rao, Aged About 46 Years, R/o Ward No. 18, Choudhary Colony, Chirawa, District Jhunjhunu, Rajasthan.
60. Naresh Kumar S/o Jaga Ram, Aged About 31 Years, R/o Meghwalo Ka Vas, Leta, Tehsil Jalore, Rajasthan.
61. Kalpana Damor D/o Hanja Ram, Aged About 30 Years, R/o Kherwara, Udaipur, Rajasthan.
62. Soma Ram Meena S/o Gobar Ram Meena, Aged About 33 Years, R/o Dheedhas, Barmer, Rajasthan.
63. Satish Manat S/o Panna Lal, Aged About 37 Years, R/o Tadi Obri, District Dungarpur, Rajasthan.
64. Narapat Kumar S/o Hanjari Ram, Aged About 32 Years, R/o Medak Kala, Jalore, Rajasthan.
65. Meena Kumari Verma D/o Durga Lal Verma, Aged About 30 Years, R/o Mandawara, Post Amli, District Bundi, Rajasthan.
66. Dimpal Chouhan D/o Otaram, Aged About 30 Years, R/o New Ramdev Colony, Jalore, Rajasthan.

-----Petitioners

Versus

1. State Of Rajasthan, Through The Principal Secretary Medical And Health Department, Government Of Rajasthan, Jaipur.
2. The Director (Non-Gazetted), Medical And Family Welfare Department, Rajasthan, Jaipur.

-----Respondents

For Petitioner(s)	:	Mr. Vikram Singh Bhawla Mr. Ram Pratap Saini (through VC)
For Respondent(s)	:	-

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

08/05/2026

1. Learned counsel for the petitioners submits that the issue raised in the present writ petition is squarely covered by judgment of this Court in ***Manoj Khandelwal & Ors. v. State of Rajasthan & Ors. : S.B.C.W.P. No. 7283/2014***, decided on 16.07.2014 at Jaipur Bench and the said judgment has been followed in *Krishan Lal & Ors. v. The State of Rajasthan & Ors. : S.B.C.W.P. No. 19179/2017*, decided on 30.10.2017 at Jaipur Bench. The petitioners are also entitled to the same relief as granted in the case of ***Manoj Khandelwal (supra) and Krishan Lal (supra)*** claims the petitioners.

2. In view of the submissions made, the writ petition filed by the petitioners is disposed of with the similar directions as given in the case of ***Manoj Khandelwal (supra)***, which read as under:-

"This Court in Suman Bai and Another Vs. State and Others - 2009 (1) WLC (Raj.) 381, held that candidates in lower order of merit cannot become entitled merely because they had approached court earlier. Petitioners had a fresh cause of action for approaching in such situation and their writ petition not barred either as res judicata or as being him in properly constituted. This directed the respondents to treat petitioners senior to respondents, who were in lower order of merit.

It is further contended in the writ petition that in the matter of School Lecturers (English) in the same Department, where appointments were delayed because of the fault of the State authorities, the candidates were accorded appointment from the date the candidates stood lower in merit were appointed and they have been granted all consequential benefits of services.

The petitioners approached the respondents by way of representations for extending them same benefits of service which have been granted to the candidates who stood lower in merit than the petitioners, but till date nothing has been done. Hence, this writ petition on behalf of the petitioners for a direction to the respondents to treat their appointment from the date the candidates lower in merit, were given, with all consequential benefits of service, such as seniority, continuity of service, pay fixation, grant of annual grade increments.

Having regard to the facts of the case, writ petition is disposed of requiring the petitioners to make a representation to respondent no.2 – Director, Secondary Education, Bikaner, alongwith a copy of this order, who shall, after verifying the facts stated above, consider and decide the same by a speaking order within a period of three months from the date of its making, addressing the grievance of the petitioners for extending them the relief as prayed for, as the candidates, who stood lower in merit, are getting benefit of higher pay, seniority, annual grade increments and other service benefits including the selection scales. If the respondent no.2 decides to place the petitioners above in seniority than the candidates who stood lower in merit, then the petitioners would be entitled to all benefits of seniority but they would be entitled only to notional benefits.”

3. For the purpose aforesaid, the petitioners shall file representation before the competent authority giving out the requisite details along with certified copy of the order instant within a period of four weeks from today. On receipt of the representation, the concerned respondent shall decide the same, in accordance with law within a period of eight weeks from the

date of receipt of the representation and accord notional benefits to the petitioners from the date persons similarly situated to the petitioners and lower in merit were given appointment, if entitled.

4. Upon consideration of the representation so filed, if respondents find the case of the petitioners to be covered by the judgment(s) aforesaid, before giving actual benefits, an undertaking shall be procured from the petitioners to the effect that his rights/entitlements shall be subservient to the fate of the judgment(s) aforesaid and in case the same is reversed or modified in any manner, they shall also be liable for restitution of any benefits/emoluments so received.

5. The stay petition also stands disposed of accordingly.

(KULDEEP MATHUR),J