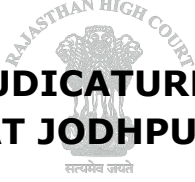


**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



S.B. Civil Writ Petition No. 13726/2026

CNR: RJHC010623912026 | URN: CW / 25001U / 2026

1. Kavita Kumari D/o Kuldeep Kumar, Aged About 37 Years, R/o Ward No. 1, Bar Birana, Tehsil Nohar, District Hanumangarh Rajasthan (Roll No. 4163239).
2. Anil Meghwal S/o Shri Genaram Meghwal, Aged About 33 Years, R/o Village Post Lalamdesar, Magara, Tehsil And District Bikaner Rajasthan (Roll No. 4145137).
3. Isharat Shah D/o Sayed Bulle Shah, Aged About 36 Years, R/o Muslmano Ka Mohalla, Jamsar, District Bikaner Rajasthan (Roll No. 6139378).
4. Gorishankar S/o Rampratap, Aged About 29 Years, R/o Ward No. 8, Bar Birana, Tehsil Nohar, District Hanumangarh Rajasthan (Roll No. 4163445).
5. Rajesh Kumar Garu S/o Shri Laxminarayan, Aged About 30 Years, R/o Ransisar, District Churu Rajasthan (Roll No. 6132763).
6. Deena Ram S/o Shri Budha Ram, Aged About 28 Years, R/o Dhalo V Chhenno Ki Dhani, Chenpura, Palina Jodhpur Rajasthan (Roll No.4210873).
7. Durga Rojh D/o Prema Ram, Aged About 35 Years, R/o Ward No. 11 Jato Ka Mohalla, Dhireran, District Bikaner Rajasthan (Roll No.4145704).
8. Vishana Ram S/o Shri Uda Ram, Aged About 34 Years, R/o Dhengarh, Dhanau, District Barmer Rajasthan (Roll No. 4215267).
9. Vina D/o Kanjee, Aged About 30 Years, R/o Gamaniya Hameera, Tehsil Gangartalai, District Banswara Rajasthan (Roll No. 4260489).
10. Lokesh Kumar Gameti S/o Vakta, Aged About 37 Years, R/o Surfalaya, Post Kaya, Tehsil Girwa, District Udaipur (Roll No. 4262408).
11. Khushal Sharma S/o Rambabu Sharma, Aged About 24 Years, R/o Village Post Cheetosh, Post Dhamred, Tehsil Rajgarh, District Alwar (Roll No.2127564).
12. Roop Lal S/o Dapa, Aged About 40 Years, R/o Chikli Teja, Teh- Anandpuri, Dist Banswara (Roll No.4260561).

13. Madan Singh S/o Shri Shaitan Singh, Aged About 29 Years, Bindhaniyon Ki Dhani, Sobhala, Jetmal, Barmer Rajasthan (Roll No. 4214809).
14. Hiralal S/o Nakhta Ram, Aged About 34 Years, R/o Ward No. 7, Village Post Bhaloori, Kolayat, District Barmer Rajasthan (Roll No. 4144638).

-----Petitioners

Versus

1. State Of Rajasthan, Through Its Secretary, Education Department, Government Of Rajasthan, Secretariat, Janpath, Jaipur.
2. Rajasthan Staff Selection Board, Through Secretary, Rajya Krishi Prabandh Sansthan Parisar, Durgapura, Jaipur- 302018.
3. The Director, Elementary Education Rajasthan, Lalgah Palace, Near Unnamed Road, Samta Nagar, Bikaner 334001.

-----Respondents

For Petitioner(s)	:	Mr. Tanwar Singh.
For Respondent(s)	:	Mr. Samarjeet Singh for Mr. Kamlesh Sharma, AGC.

HON'BLE DR. JUSTICE NUPUR BHATI

Order

23/07/2026

1. This writ petition has been filed by the petitioners with the following prayers:

“(i) The respondents may be directed to release the regular monthly pension and the half of the gratuity as withheld by department as well as commutation payment in favor of the petitioner after adding of increment arisen as retirement on 30.06.2025.

(ii) During pendency of writ petition or till today the amount due with the respondents may be paid with the interest @ 12% from first July, 2025 and

(iii) Any other relief which this Hon'ble Court deems fit and proper may be passed in favour of the petitioner.”

2. Brief facts of the case are that the petitioner was appointed as a Teacher pursuant to her selection by the respondents vide order dated 24.09.1988 and joined her duties on 03.10.1988 at Government Primary School, Mulana, Panchayat Samiti Sam, District Jaisalmer. During the course of her unblemished service, she acquired the requisite educational qualifications, including B.Ed. and other certificate courses. Upon rendering approximately 37 years of service, she superannuated on 30.06.2025 from the post of Third Grade Teacher at Government Senior Secondary School, Damodra, Jaisalmer. It is the petitioner's case that on the date of her retirement, neither any departmental inquiry nor any judicial proceeding was pending against her and, therefore, she became entitled to the release of all retiral and pensionary benefits. However, despite serving a legal notice dated 12.06.2026 demanding release of 50% gratuity, commuted pension and regular monthly pension, the respondents have failed to release the said retiral dues, compelling the petitioner to approach this Court seeking release of the same along with interest.

3. Learned counsel for the petitioners, at the outset, submits that the issue involved in the present writ petition is squarely covered by judgment rendered in the case of ***Yasmeen Bee & Ors. Vs. State of Rajasthan & Ors.: SBCWP No.13045/2025 & other connected matters, decided on 11.05.2026*** at Jaipur Bench. He submits that the Coordinate Bench has allowed the said writ petition with certain directions.

4. For ready reference, the relevant part of order dated 11.05.2026 passed in the case of Yasmeen Bee (supra) is reproduced hereunder:

“17. Consequently, while allowing these writ petitions, it is directed that the respondents shall determine correct number of vacancies on the basis of guidelines given by the Division Bench of this Court as well as by the Hon'ble Supreme Court in the case of Namonarayan Sharma & Others (supra) and after assessing the correct number of vacancies, the respondents shall re-examine the claims of the petitioners afresh and, in case the petitioners are otherwise eligible in terms of the advertisement and are found to have secured higher marks, on the basis of revised results, than the last appointed candidate in their respective category, the respondents shall offer appointment to the petitioners, subject to availability of the vacancies, after redetermining their existence in accordance with the guidelines laid down in the case of Namonarayan Sharma & Others (supra) within a period of two months from the date of receipt of certified copy of this judgment. The petitioners shall also be entitled to notional benefits of pay fixation and seniority qua candidates appointed earlier despite securing lesser marks, however, without any entitlement to actual monetary arrears for the past period. Simultaneously, it is directed that no candidate already appointed pursuant to the original answer key shall be terminated solely on account of subsequent revision of the answer key, since they were not at fault.

18. However, the benefit of this judgment shall remain confined only to the petitioners before this Court and to those candidates, who had already approached this Court and whose writ petitions are pending consideration. Any fence-sitter who remained indolent and failed to agitate his rights within reasonable time shall not be entitled to claim benefit on the basis of the present judgment.

19. Before parting with the matter, this Court deems it appropriate to observe that it is a matter of common knowledge that unemployment has assumed alarming proportions in the present era and the level of competition in public recruitments has become extraordinarily intense. In such competitive examinations, particularly those based upon objective type multiple-choice questions, every single question assumes great significance, as marks attached even to one question are capable of altering the fate of hundreds of aspiring candidates. Therefore, the degree of caution, fairness, accuracy and vigilance required while framing the question paper and preparing the answer key is extremely high. Recruiting agencies, being instrumentalities of the State, cannot be permitted to deal with such examinations in a casual or negligent manner. They are under a constitutional obligation to ensure that question papers and answer keys are prepared with utmost precision by duly consulting authentic and standard reference books through competent subject experts, so as to eliminate the possibility of any ambiguity or error

therein. Recurring instances of faulty answer keys and incorrect questions not only give rise to avoidable litigation but also seriously prejudice the careers of meritorious candidates and shake the confidence of the public in the fairness of the recruitment process. Accordingly, this Court deems it appropriate to direct the Chief Secretary, Government of Rajasthan, to constitute a High Level Committee of Senior IAS Officers under the Chairmanship of the Secretary, Department of Personnel, for the purpose of examining the issue in depth and formulating an appropriate Standard Operating Procedure (SOP) and other corrective institutional measures to ensure transparency, accountability and accuracy in future recruitment examinations. The said Committee shall also examine the feasibility of initiating disciplinary proceedings against erring officials and experts responsible for preparation of defective question papers or faulty answer keys due to negligence or casual approach. A compliance report in this regard shall be submitted before this Court within a period of three months for perusal.

20. All the writ petitions are accordingly allowed with the above directions.

21. Consequent upon allowing the writ petitions, no order is required to be passed in S.B. Civil Contempt Petition No. 92/2026 as the interim order, non-compliance of which has been alleged by the petitioners therein, would now merge into this judgment. Hence, S.B. Civil Contempt Petition No. 92/2026 stands disposed of. Notices, if any issued, stand discharged.

22. Pending applications, if any, stand disposed of.

23. Office is directed to place a copy of this judgment on record of each connected writ petition.”

4. Learned counsel for the respondents are not in a position to refute that the issue involved in the present writ petition is squarely covered by judgment in Yasmeen Bee (supra).

5. In view of the above, the present writ petition is also allowed in the same terms and directions as in the case of Yasmeen Bee (supra), which are as follows:

“Accordingly, this Court deems it appropriate to direct the Chief Secretary, Government of Rajasthan, to constitute a High Level Committee of Senior IAS Officers under the Chairmanship of the Secretary, Department of Personnel, for the purpose of examining the issue in depth and formulating an appropriate Standard Operating Procedure (SOP) and other corrective institutional

measures to ensure transparency, accountability and accuracy in future recruitment examinations. The said Committee shall also examine the feasibility of initiating disciplinary proceedings against erring officials and experts responsible for preparation of defective question papers or faulty answer keys due to negligence or casual approach. A compliance report in this regard shall be submitted before this Court within a period of three months for perusal.”

(DR.NUPUR BHATI),J