

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

S.B. Civil Writ Petition No. 14300/2024

1. Ramesh Kumar S/o Shri Mohan Lal, Aged About 42 Years, R/o Manawato Ka Bas, Gundoj, District Pali, Rajasthan.
2. Prem Praksh S/o Shri Jodha Ram, Aged About 41 Years, R/o Khari Kalan, Palasani, District Jodhpur, Rajasthan.
3. Rajendra Kumar Vyas S/o Shri Meghraj, Aged About 42 Years, R/o 321 Avasthiyo Ka Bas, Sojat City, District Pali, Rajasthan.
4. Ifran Ahmed S/o Shri Mustak Ahmed, Aged About 43 Years, R/o Before Ayurvedic Hospital, Bagri Nagar, District Pali, Rajasthan.
5. Rajesh Joshi S/o Shri Kishan Gopal Joshi, Aged About 50 Years, R/o Boharo Ka Bas, Parbatsar, District Nagaur, Rajasthan.
6. Jugal Kishore S/o Shri Jai Narayan Mochi, Aged About 47 Years, R/o Ward Number 06, Taranagar, District Churu, Rajasthan.
7. Pramod Kumar Trivedi S/o Shri Keshav Lal Trivedi, Aged About 51 Years, R/o Nai Fali, Simalwara, District Dungarpur, Rajasthan.
8. Sanjay Kumar Pandhya S/o Shri Ram Naryan Pandya, Aged About 45 Years, R/o Village Chhinch, Block Bagidora, District Basnwara.

-----Petitioners

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Medical And Health Jaipur.
2. Mission Director, National Health Mission, Jaipur.
3. Director, Department Of Medical And Health Jaipur.
4. Chief Medical And Health Officer (CMHO), Pali.
5. Chief Medical And Health Officer (CMHO), Nagaur.
6. Chief Medical And Health Officer (CMHO), Churu.
7. Chief Medical And Health Officer (CMHO), Dungarpur.
8. Chief Medical And Health Officer (CMHO), Banswara.

-----Respondents

For Petitioner(s) : Mr. Pankaj Choudhary

For Respondent(s) : Mr. N.S. Rajpurohit, AAG

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

02/09/2024

1. Heard learned counsel for the petitioners.
2. Learned counsel for the petitioners submits that the petitioners were initially appointed on the post of Patient Adviser under the Rajasthan Health System Development Project (RHSDP) on temporary basis. The petitioners rendered their services in the RHSDP for almost 5 to 7 years and, thereafter, their services were adjusted in the National Rural Health Mission (NRHM) Scheme from the year 2016 on the post of PHC Asha Supervisors. The petitioners are continuously working on the post of Asha Supervisor till date. Learned counsel further submits that in the year 2022, the Rajasthan Contractual Hiring of Civil Posts Rules, 2022 (hereinafter referred to as the 'Rules of 2022') were introduced in which the experience of persons working under the National Rural Health Mission Scheme has been mentioned. However, the petitioners will not get the benefit of working in the RHSDP under the Rules of 2022 as the RHSDP Scheme does not find mention in the Rules of 2022.
3. Matter requires consideration.
4. Issue notice. Issue notice of the stay application also, returnable on 01.10.2024.
5. Let the name of Mr. N.S. Rajpurohit, learned AAG be shown in the cause-list as counsel for the respondents.
6. Meanwhile, the candidature of the petitioners shall be considered for screening under the Rajasthan Contractual Hiring to Civil Post Rules, 2022 provisionally taking into consideration the



services rendered by the petitioners under the RHSDP Scheme. It is made clear that the candidatures of the petitioners shall remain provisional/subject to the outcome of the present writ petition.

(VINIT KUMAR MATHUR),J

55-/Arun P/-