

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

S.B. Civil Writ Petition No. 12521 / 2017

Sharmila Rani & Anr.

-----Petitioners

Versus

State of Rajasthan & Ors.

-----Respondents

For Petitioner(s) : Mr. Surender Singh

For Respondent(s) : Mr. S.S. Ladrecha, AAG

JUSTICE DINESH MEHTA

Order

04/10/2017

Learned counsel for the petitioners undertakes to remove the defect(s) as pointed out by the Office, within a period of two weeks.

In view of the undertaking given by learned counsel for the petitioners, the matter is taken up for admission, while ignoring the Office objections, for the time being.

It is made clear that on petitioners' failure to remove the defect(s) within stipulated period, the writ petition shall stand dismissed without reference to the Court.

Learned counsel for the petitioners assert that the names of petitioners had been duly recommended by the School Development & Management Committee (SDMC)/School Management Committee (SMC) and forwarded to the respective Zila Parishads for approval. In some of the cases, the concerned Zila Parishads have approved the recommendation and afforded

appointment to the petitioners, while in other cases the matters remained pending at the ends of the respondents.

However, without issuing any notice to the concerned candidates, the respondents have dispensed with the petitioners' engagement or terminated their services, while initiating denovo process of selection, pursuant to the circular No. प.15(1)प्राशि/2017 dated 15.09.2017 issued by the State Government.

The contention of the petitioners is that by way of initiating denovo process of selection, the respondents have taken away accrued, vested and crystallized rights of the petitioners, for no fault of theirs'.

Issue notice. Issue notice of the stay application also.

Mr. S.S. Ladrecha, AAG, learned Additional Advocate General having entered caveat on behalf of Panchayati Raj Department is directed to accept notices for all the respondents. Mr. Ladrecha, prays for some time to complete his instructions.

Time prayed for is allowed.

List this matter on 16.11.2017.

In the meanwhile, the termination of the services of the petitioners, who have been working as Gram Panchayat Shahayaks shall remain stayed.

The respondents are further restrained from proceeding in furtherance of the above referred circular dated 15.09.2017 and undertaking exercise of selection of Gram Panchayat Sahayaks for those Gram Panchayats, for which concerned SDMC/SMC have already made recommendations.

(DINESH MEHTA), J.

Anurag/C



सत्यमेव जयते