

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

S.B. Civil Writ Petition No. 14434/2026

CNR: RJHC010663412026

URN: CW / 26349U / 2026

Gopi Kishan S/o Shri Shivji Ram, Aged About 50 Years, Resident Of Darora, Police Thana Barmer, Tehsil And District Barmer Rajasthan Presently Posted As Head Constable-891, Officer Of The Deputy Superintendent Of Police Chohtan Barmer.

-----Petitioner

Versus

1. The State Of Rajasthan, Through The Secretary, Department Of Home Affairs, Government Secretariat, Jaipur Raj.
2. The Director General Of Police, Police Headquarters , Jaipur, Rajasthan.
3. The Inspector General Of Police, Jodhpur Range Jodhpur.
4. The District Superintendent Of Police, Barmer Raj.

-----Respondents

For Petitioner(s) : Mr. Ratan Ankiya

For Respondent(s) : Mr. Ritu Raj Singh Bhati, GC

HON'BLE DR. JUSTICE NUPUR BHATI

Order

16/07/2026

1. The present writ petition has been filed with the following prayers:-

"i. The Impugned Order No.1454 (OB No.225) dated 29.04.2016 (Annexure-3) issued by Respondent No. 3, insofar as it illegally defers the 2 nd ACP benefit of the Petitioner, may kindly be quashed and set aside.
ii. The Respondents may be commanded to grant the benefit of the 2 nd ACP scale to the Petitioner from his original entitlement date, i.e., 08.03.2016 (upon completion of 18 years of continuous regular service), in strict parity with the binding precedent judgment passed in S.B.C.W.P. No.8151/2016 (Annexure-5).

- iii. The Respondents may be directed to calculate and release all consequential benefits, including pay refixation, seniority advantages, and arrears of salary along with an appropriate interest rate from the due date until the actual date of payment.
- iv. Any other relief which this Hon'ble Court deems fit and proper in the facts and circumstances of the case may kindly be granted in favor of the humble Petitioner."

2. Learned counsel for the petitioner submits that the petitioner has not been granted the benefit of ACP solely on the ground that the petitioner has two children however, the said issue is no more res-integra as the co-ordinate bench of this Court in the case of ***Suraj Singh & Ors. Vs. State of Rajasthan & Ors. (SBCWP No. 8151/2016)*** vide judgment dated 23.07.2025 has held that an employee cannot be subjected to double jeopardy for the underlying reasons i.e. denying both, standard promotions and ACP benefits simultaneously which has duly been held by the co-ordinate bench in the said judgment.

3. He submits that the petitioner would be satisfied if he would be permitted to file a representation before the respondents in light of the case of Suraj Singh (supra).

4. Learned counsel for the respondents does not oppose the limited prayer.

5. In light of such limited submission, it is hereby directed that the petitioner shall submit a detailed representation to the respondent for ventilating her grievances within a period of 'two weeks' from today along with a copy of the judgment passed in the case of Suraj Singh (supra) and such representation shall be decided strictly in accordance with law within a period of 'four weeks' from the date of receipt of certified copy of this order by the respondents.

6. It is made clear that aforesaid direction to decide the representation has been issued only with a view to ensure expeditious redressal of petitioner's grievance. The same may not be construed to be an order to decide the representation in a particular manner. The respondents would be at liberty to verify the facts of the present case, as well as, the applicability of the judgment passed in the case of Suraj Singh (supra).

7. With the aforesaid direction, the writ petition is disposed of.

(DR. NUPUR BHATI),J