

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

S.B. Civil Writ Petition No. 17538/2025

1. Sonal Bhoi D/o Narayan Lal Bhoi, aged about 25 Years, R/o Pratap Colony, Semari, District Udaipur, Earlier Working as OT Technician (Plastic-OT) at Rabindranath Tagore Medical College and Controller, United Hospital Association, Udaipur.
2. Rahul Jangir S/o Nand Lal Jangir, aged about 27 Years, R/o Village Deogudha, District Jaipur. Earlier working as OT Technician (Neurosurgery- OT) at Rabindranath Tagore Medical College and Controller, United Hospital Association, Udaipur.
3. Bijendra S/o Shishpal, aged about 25 Years, R/o Village Khatehpura, District Jhunjhunu. Earlier Working as OT Technician (Gastro- OT) at Rabindranath Tagore Medical College and Controller, United Hospital Association, Udaipur.

----Petitioners

Versus

1. State of Rajasthan, through its Principal Secretary, Department Of Medical and Health Services (Group-2), Secretariat, Jaipur, Rajasthan.
2. Joint Govt. Secretary, Department Of Finance (Expense-1), Secretariat, Jaipur, Rajasthan.
3. Director (Public Health), Medical and Health Services, Rajasthan, Jaipur, Rajasthan.
4. Joint Director, Medical and Health Services, Udaipur Zone, Udaipur, Rajasthan.
5. District Collector, Udaipur, Rajasthan.
6. Principal and Controller, Rabindranath Tagore Medical College and Controller, United Hospital Association, Udaipur, Rajasthan.

----Respondents

For Petitioner(s)	:	Mr. Nikhil Jain
For Respondent(s)	:	Mr. Milap Chopra

HON'BLE MS. JUSTICE REKHA BORANA

Order

15/09/2025

1. Learned counsel for the petitioners submits that vide order dated 17.10.2025 passed in the earlier writ petition filed by the petitioners being S.B. Civil Writ Petition No.17149/2024 (Annexure-4), the representation of the petitioners was directed to be decided keeping into consideration the ratio laid down in **S.B. Civil Writ Petition No.12243/2024 (*Shruti Moyal & Ors. vs. State of Rajasthan & Ors.*)** decided on **30.07.2024**. However, the said representation was not decided and a contempt petition has already been preferred by the petitioners for the same.
2. Now, vide communication dated 13.08.2025 (Annexure-8), the respondents have directed for engagement of Laboratory Technician/Technician/Dietician in terms of Rajasthan Transparency in Public Procurement Act, 2012 and Rajasthan Transparency in Public Procurement Rules, 2013.
3. Counsel for the petitioners submits that the same is in total contravention to circular dated 01.04.2022 (Annexure-10) as passed by the State Government wherein, it was specifically directed that no posts shall be filled on contract basis in terms of circular dated 27.06.2014.
4. Counsel submits that the same is also in contravention to the settled position of law that no contractual employees can be replaced by another set of contractual employees.
5. Further, the same is also in contravention to directions issued by the Court on 17.10.2024.
6. Learned counsel appearing for respondent No.6 prays for some time to file reply and complete his instructions.

7. Three weeks' time is granted.
8. Let a copy of the writ petition be served on counsel who represents the other respondent-Departments too, during the course of the day.
9. List after five weeks. Meanwhile, the rejoinder, if any, be also filed.
10. Till the next date of hearing, the services of the petitioners shall not be terminated.

(REKHA BORANA),J

9-Arjun/-