

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

D.B. Special Appeal Writ No. 1329/2025

1. Dr. Sunil Bishnoi S/o Shri Babu Lal Bishnoi, Aged About 37 Years, Resident Of House No.1 Ga 14, Madhuban Housing Board, Basni First Phase Jodhpur (Raj).
2. Dr Leela Chitara W/o Naveen Chitara, Aged About 45 Years, Resident Of F-6, Uit Pratap Nagar, Jodhpur (Raj.).
3. Dr Laxmi Kant Sharma S/o Shri Ram Gopal Sharma, Aged About 45 Years, Resident Of Plot No. 154, Flat S-3, Shree Radhey Homes Krishna Sarovar, Mansarovar, District Jaipur (Raj.).
4. Dr Hemant Kumar Meena S/o Modi Lal Meena, Aged About 30 Years, Resident Of 1968/a, Near Hp Petrol Pump, In Front Of Gujrati School, Kutchery Road, District Ajmer (Raj.).
5. Dr Mamta Sharma W/o Jayesh Gaur, Aged About 37 Years, Resident Of 21/45 Chopasani Housing Board, District Jodhpur (Raj.).
6. Dr Shama Bano D/o Jeevan Khan, Aged About 45 Years, Resident Of 32, Jk Nagar, Shobhawalto Ki Dhani, Pal Road, District Jodhpur (Raj.).
7. Dr Soniya Sharma D/o R S Sharma, Aged About 38 Years, Resident Of Quarter No. 57, G-No. 2, Chanakya Nagar, Lal Sagar, District Jodhpur (Raj.).
8. Dr Suman Purohit W/o Kailash Narayan Bohra, Aged About 47 Years, Resident Of Near Rog Nidan Jalori Gate, District Jodhpur (Raj.).
9. Dr Nitu Choudan D/o Shri Madan Lal Chouhan, Aged About 47 Years, Resident Of P-253/1, Residential Area, Defense Laboratory, Ratanada, District Jodhpur (Raj).
10. Dr Ekta D/o Vijay Kumar, Aged About 34 Years, Resident Of Plot No. 75/76 9Th Chopasani Road, District Jodhpur (Raj).
11. Dr Saroj Solanki D/o Shri Kana Ram, Aged About 38 Years, Resident Of Cs/88, Shivaji Nagar, Pali, District Pali (Raj).
12. Dr Manvendra S/o Hajari Mal Ji, Aged About 50 Years, Resident Of Ward No. 30, Near Mali Samaj Gandhipura, Balotra District Balotra (Raj.).

13. Dr Dheeraj Rathore D/o Mohan Singh, Aged About 38 Years, Resident Of Loonsara-House, Subhaspura, Bikaner, District Bikaner (Raj).
14. Dr Pawan Kumar Nainawat S/o Mr Prakash Chand, Aged About 34 Years, Resident Of Village And Post Kuhara, Tehsil Viratnagar, District Kotputli, Behror (Raj).
15. Dr Sanjay Kumar Choudhary S/o Pooran Singh Choudhary, Aged About 41 Years, Resident Of Ward No. 4, Ram Nagar, Kotputli, Kotputli, Bheror (Raj).
16. Parul Yadav D/o Satish Kumar Yadav, Aged About 25 Years, Resident Of Village Kalyanpura, Behror (Raj).
17. Dr Ram Kumar Choudhary S/o Hanuman Sahay, Aged About 46 Years, Resident Of Village Tulsipura, Tehsil Paota, District Kotputli, Behror (Raj).
18. Dr Preeti Soni D/o Budhmal Soni, Aged About 38 Years, Resident Of New Bus Stand Indane Gas Godawan, District Balotra (Raj).
19. Rajesh Kumar S/o Shiv Kumar, Aged About 30 Years, Resident Of Village Tihay, Post Tihawati, Tehsil Ramgarh, Shekhawati (Raj).
20. Dr Ankit Sharma S/o Govind Sahai Sharma, Aged About 39 Years, Resident Of Jaipuria-Sadar, Near Mahavir Dal, Srimadhopur, District Sikar (Raj.).
21. Dr Ruchika D/o Rohitash Kumar, Aged About 33 Years, Resident Of Mitharwalon Ki Dhani, Badapura, Bhorki, District Jhunjhunu (Raj.).
22. Dr Neetu Sharma D/o Shyam Sunder Chulet, Aged About 39 Years, Resident Of Opposite Sardar Patel Statue, Hospital Road, Bagidora, District Banswara (Raj.).
23. Dr Ashvin Kumar Panchal S/o Dhuli Panchol, Aged About 39 Years, Resident Of Opposite Sardar Patel Statue, Hospital Road, Bagidora, District Banswara (Raj.).
24. Hukma Ram Regar S/o Jeeya Ram Regar, Aged About 47 Years, Resident Of Bar Beawar, District Beawar (Raj.).
25. Dr Suman Kumari D/o Shri Mahaveer Barar, Aged About 33 Years, Resident Of Village And Post Karanpura, Tehsil Bhaora, District Hanumangarh (Raj.).
26. Dr Rajesh Kumar Saini S/o Prahlad Singh Saini, Aged

About 42 Years, Resident Of Mishrawali Dhani, Singhana, Jhunjhunu (Raj.).

27. Jugal Kishor Saini S/o Mangi Lal Saini, Aged About 37 Years, Resident Of Village Nawlai, Ward No.8, Post Bagariyawas, Tehsil Shrimadhopur, District Sikar (Raj.).
28. Dr Ritu Vyas D/o Gopal Lal Sharma, Aged About 50 Years, C/o Permeshwar Jha Resident Of Nagarwada, Banswara, District Banswara (Raj.).
29. Dr Shyam Sundar Sharma S/o Shri Ramniwas Sharma, Aged About 40 Years, Resident Of Behind Govt. College, Near Veena Campus, Karauli (Raj.).
30. Vachana Ram S/o Bheema Ram Meghwal, Aged About 48 Years, Resident Of Village And Post Padeev, Tehsil And District Sirohi (Raj.).
31. Mitha Ram S/o Mouka Ram, Aged About 34 Years, Resident Of Village And Post Thapan, Tehsil Siwana, District Balotra (Raj.).
32. Sahil Singh S/o Rambilas, Aged About 27 Years, R/o Ward No.4, Vpo Majhau, District Jhunjhunu.
33. Dr Subhash Chandra Saini S/o Baluram Saini, Aged About 42 Years, R/o Ward No.10, Waterworks Ke Pass, Surajgarh, Jhunjhunu.
34. Pooja Kumari Saini D/o Lalchand Saini, Aged About 26 Years, R/o Ward No.5, Chanwara, Udaipurwati, Jhunjhunu.

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Versus

1. The State Of Rajasthan, Through Secretary, Higher Education, Government Of Rajasthan, Government Secretariat, Jaipur-302005.
2. The Commissioner, Department Of College Education, Block-Iv, Dr. S. Radhakrishnan Shiksha Sankul, Jln Marg, Jaipur.
3. Rajasthan College Education Society, Through The Ex Officio Secretary, Executive Committee, Rajasthan College Education Society, Block Iv, Dr. S. Radhakrishnan Shiksha Sankul, Jln Marg, Jaipur Cum Additional Commissioner, College Education Department, Jaipur.

4. The Joint Director, Hrd Department Of College Education, Block Iv, Dr. S. Radhakrishnan Shiksha Sankul, Jln Marg, Jaipur.
5. The Principal, Government Girls College, Magra Punjla, District Jodhpur, Rajasthan.
6. The Principal, Government Bangar College Pali, District Pali, Rajasthan.
7. The Principal, Government Girls College Sawaimadhopur, Rajasthan.
8. The Principal, Government Girls College Jodhpur, District Jodhpur, Rajasthan.
9. The Principal, Government College Jodhpur, District Jodhpur, Rajasthan.
10. The Principal, Government Bangur P.g. College Pali, District Pali, Rajasthan.
11. The Principal, Government Mbr College, Balotra, District Balotra, Rajasthan.
12. The Principal, Mbc Government Girls College Barmer, District Barmer, Rajasthan.
13. The Principal, Government Girls College Lalsot, District Dausa, Rajasthan.
14. The Principal, Government Girls College Kotputli, Rajasthan
15. The Principal, Seth Shri Kedarnath Modi Government College, Gudhagori, District Jhunjhunu, Rajasthan.
16. The Principal, S.n.k.p. Government College Neem Ka Thana, District Sikar, Rajasthan.
17. The Principal, Haridev Joshi Government College Banswara, District Banswara, Rajasthan.
18. The Principal, Government Girls College Pali, District Pali, Rajasthan.
19. The Principal, Baba Vishwambhar Das Government Girls College, Hod, District Sikar, Rajasthan.
20. The Principal, Government Pg College Hindaun City, Rajasthan.
21. The Principal, Government Girls College Lalsot, Rajasthan.
22. The Principal, Government P.g. College Sirohi, Rajasthan.

23. The Principal, Government College Siwana, District Balotra, Rajasthan.

-----Respondents

For Appellants	:	Ms. Varsha Bissa
For Respondents	:	Mr. Ravindra Jala for Mr. S.S. Ladrecha, AAG

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

15/04/2026

1. Issue notice to the respondents.
2. Learned counsel for the appellants submits that the appellants are working in the college and are being removed after every session and fresh appointments are given.
3. We notice that the State Government has virtually shifted the Higher Education Department to a Society. The colleges which were earlier under the Rajasthan Education Services (Collegiate Branch) Rules, 1986 have been shifted by forming a Society under the Societies Registration Act, 1958, which would make the Service Rules otiose and the proviso to Article 319 of the Constitution redundant. *Prima facie* the order dated 11.07.2022 (Annx. 7) passed by the State Government forming Rajasthan College Education Society appears to be contrary to the ethos of the Constitution.
4. Let learned Advocate General appear and make submission as to why the formation of Rajasthan College Education Society should not be declared illegal.

5. Meanwhile, the appellants shall continue to perform their work as guest faculties even for the next session.

(SANJEET PUROHIT),J

(SANJEEV PRAKASH SHARMA),ACJ

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