

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 2393/2025

1. Shalu Agarwal D/o Kailash Chand Agarwal, Aged About 29 Years, R/o D-101, Surya Nagar, District Alwar, Raj.-301001. (Application Id No195173)
2. Rajpal Kaur Sandhu D/o Ranjeet Singh, Aged About 41 Years, R/o Rsc-02, Sector 16, Ridhi Sidhi Ii, District Sriganganagar, Raj.-335001. (Application Id - No168850)
3. Kusum Bala D/o Mohan Lal, Aged About 52 Years, R/o 163, Ward No.-22, Mukhrji Nagar, Ganganagar, District Ganganagar, Raj.-335001. (Application Id - No179693)
4. Saba Praveen D/o Javed Khan, Aged About 29 Years, R/o B-70, Choudhary Colony, Gangapole, Jaipur, District Jaipur, Raj.-302002. (Application Id-No157975)

----Petitioners

Versus

1. The State Of Rajasthan, Through Secretary, Medical And Heath Department, Govt. Of Rajasthan, Secretariat, Jaipur (Raj.)302005
2. Director, State Health And Family Welfare, Swasthya Bhawan, Tilak Marg, C-Scheme, Jaipur. (Raj.)
3. Director, National Health Mission, Swasthya Bhawan, Ashok Nagar, Near Secretariat, Jaipur, Raj, 302005.
4. Project Director, National Health Mission, Swasthay Bhawan, Tilak Marg, Near Civil Lines, Jaipur, Raj, 302005.
5. State Institute Of Health And Family Welfare, Through His Secretary, Jhalana Institution Area, Jaipur (Raj.).

----Respondents

Connected With

S.B. Civil Writ Petition No. 2606/2025

1. Amit Kumar Dabriya S/o Ganga Ram Dabriya, Aged About 28 Years, R/o Gudhaman Singh, Kishangarh Renwal District Ajmer 303603 (Application Id No173106)
2. Raina Kumari Ninama D/o Shankar Lal Ninama, Aged About 42 Years, R/o 2-C-12, District Banswara Raj. 327001 (Application Id No196272).
3. Seema Rakhecha D/o Deepak Rakhecha, Aged About 27

Years, R/o Kuchaman Haveli Ke Pas, District Jodhpur Raj. 342001 (Application Id No186528).

4. Laxmi Bagela D/o Prem Singh Bagela, Aged About 28 Years, R/o Shramikpura, District Jodhpur Raj. 342001 (Application Id No197333).
5. Prem Prakash S/o Ghanshyam Chouhan, Aged About 28 Years, R/o Sanjay B Colony, District Jodhpur (Raj.) 342003 (Application Id No187863).
6. Pradeep S/o Ghewar Chand, Aged About 27 Years, R/o Main Road, District Pali (Raj.) 306401 (Application Id No156815).
7. Megha Gaur D/o Nakareshwar Gaur, Aged About 27 Years, R/o Lodha Colony Beawar, District Ajmer (Raj.) 305901 (Application Id No201175).
8. Narendra Singh Seervi S/o Ratanlal, Aged About 28 Years, R/o 41, Badi Kachedi, Bilara, District Jodhpur (Raj.) 342602 (Application Id No190888).
9. Reena Kumari Dhakar D/o Kanhaiya Lal Dhakar, Aged About 28 Years, R/o Khatikhera, Rawatbhata, District Chittorgarh (Raj.) 323307 (Application Id No198756).
10. Rama Gurjar D/o Ramswaroop Gurjar, Aged About 29 Years, R/o District Tonk (Raj.) 304802 (Application Id No176704).
11. Rekha Sharma D/o Gheesa Lal, Aged About 32 Years, R/o Behind Rto Office, Khandiya Colony, District Jhalawar (Raj.) 326001 (Application Id No207662).
12. Namita Beragi D/o Dinesh Chand, Aged About 27 Years, R/o Nasirabad, Bakani, District Jhalawar (Raj.) 326023 (Application Id No146991).
13. Vinita Kumari D/o Karan Singh, Aged About 29 Years, R/o Gordhanpura, District Jhalawar (Raj.) 326001 (Application Id No159512).
14. Deepmala D/o Ram Bhajan, Aged About 29 Years, R/o 34, New Sabarmati Colony, District Kota (Raj.) 324006 (Application Id No190004).
15. Rekha Dangi D/o Gokul Dangi, Aged About 27 Years, R/o Gardan Kheri, District Jhalawar (Raj.) 326513 (Application Id No203454).

16. Jeetpal Meena S/o Badri Narayan Meena, Aged About 27 Years, R/o Ramsinghpura, Phagi, District Jaipur (Raj.) 303006 (Raj.) (Application Id No148328).
17. Anil Kumar Gurjar S/o Chaturbhuj Gurjar, Aged About 28 Years, R/o Village Sarkawas, Dooni, District Tonk (Raj.) 304502 (Application Id No147553).
18. Neelam Tripathi D/o Tara Chand Tripathi, Aged About 26 Years, R/o Vpo Ghar Dooni, District Tonk (Raj.) 304802 (Application Id No181224).
19. Anusueya Dadhich D/o Ramesh Chand Sharma, Aged About 33 Years, R/o Deorawas, Dooni, District Tonk (Raj.) 324802 (Application Id No167674).
20. Hansa Reddy D/o Chhotu Ram Raigar, Aged About 28 Years, R/o Ward No. 6, Jai Singhpora, Lodhan, District Jaipur (Raj.) 303901 (Raj.) (Application Id No133349).
21. Babli Kumari Damor D/o Shankar Lal Damor, Aged About 36 Years, R/o Ambada Chikli, District Dungarpur (Raj.) 314030 (Application Id No213273).
22. Hemlata Parmar D/o Hari Prasad Parmar, Aged About 32 Years, Mukam Pantli, District Dungarpur (Raj.) 314028 (Application Id No211724).
23. Bali Devi D/o Pokhar Ram, Aged About 32 Years, R/o Kuchipala, District Nagaur (Raj.) 341504 (Application Id No191585).
24. Dileep Kumar Prajapat S/o Moti Lal Prajapat, Aged About 28 Years, R/o Shrijiwala Dandakheda Road, District Karauli (Raj.) 322241 (Application Id No110881).
25. Manoj Kumar Meena S/o Heera Lal Meena, Aged About 30 Years, R/o District Jhalawar (Raj.) 308039 (Application Id No210507).
26. Kalu Lal Meena S/o Gopal Lal Meena, Aged About 31 Years, R/o Khuri Aklera, District Jhalawar (Raj.) 328039 (Application Id No204482).
27. Pooja Kumari Dhobi D/o Durga Lal Dhobi, Aged About 29 Years, R/o Near Animal Hospital, Mandalgarh, District Bhilwara (Raj.) 311604 (Application Id No153993).
28. Rekha Kumari Sharma D/o Sanwar Lal Sharma, Aged About 32 Years, R/o Village Sikhrani, District Ajmer (Raj.) 305624 (Application Id No168600).

29. Pooja Regar D/o Nathu Lal Regar, Aged About 31 Years, R/o Regar Mohalla, Bijoliya, District Bhilwara (Raj.) 311602 (Application Id No155371).
30. Shivraj Meena S/o Bhura Lal Meena, Aged About 27 Years, R/o Kolookhera, District Baran (Raj.) 325221 (Application Id No205898).
31. Hemant Dev Singh S/o Neeraj Kumar, Aged About 28 Years, R/o Vpo Helena, Weir, District Bharatpur (Raj.) 321601 (Application Id No205620).
32. Sanju Bala D/o Mahendra Singh, Aged About 29 Years, R/o Raipur Mundawar, District Alwar (Raj.) 301404 (Application Id No191684).
33. Tanu Priya Gaur D/o Gopal Singh Gaur, R/o Gali No. 7, Chandna Bhakar, Jyoti Nagar, District Jodhpur (Raj.) 3420085 (Application Id No184774).
34. Lakshmi Choudhary D/o Chhoga Ram, Aged About 26 Years, R/o Somani College Road, District Jodhpur (Raj.) 342008 (Application Id No165495).
35. Arvind Kumar Meena S/o Mohan Lal Meena, Aged About 27 Years, R/o Goya Ka Bas, Mahwa, District Dausa (Raj.) 321608 (Application Id No203248).
36. Sheetal Saini D/o Kedar Lal Saini, Aged About 28 Years, R/o Janta Colony, Makan No. 20, Amarnath Ki Bagchi, District Jaipur (Raj.) 302004 (Application Id No192293).
37. Priyanka Meghwal D/o Bhagirath Meghwal, Aged About 26 Years, R/o Merta, Mavli, District Udaipur (Raj.) 313022 (Application Id No136159).
38. Kiran Bala Dadhich D/o Satya Narayan Tripathi, Aged About 32 Years, R/o Laxmikant Niwas, Borada, Arai, District Ajmer (Raj.) 305412 (Application Id No144493).
39. Urmila Panwar D/o Lala Ram Lohar, Aged About 26 Years, R/o Near New Girls Senior Secondary School, Bilara, District Jodhpur, Raj.-342602.(Application Id No198634).
40. Seema Meena D/o Ramswaroop Meena, Aged About 30 Years, R/o Nasiya Ki Dhani, Lawan, District Dausa, Raj.-303004 .(Application Id No150463).
41. Hansa D/o Jagdish, Aged About 29 Years, R/o 36 Meghwal Colony, District Jodhpur, Raj.-342003..(Application Id No168752).

42. Meena Kumari Meena D/o Prabhu Lal Meena, Aged About 33 Years, R/o Dhowara, Hindoli, District Bundi, Raj.-323024..(Application Id No126452).
43. Surbhi Tiwari D/o Girdhari Prasad, Aged About 28 Years, R/o Munshi Bazar, Tehsil Alwar, District Alwar, Raj.-301001 .(Application Id No189872).
44. Lokesh Kumar Meena S/o Prithviraj Meena, Aged About 29 Years, R/o Khaloonda, Talera, District Bundi Raj.-323021.(Application Id No137722).
45. Surda Kumari Ninama D/o Valu Ram Ninama, Aged About 30 Years, R/o Rujadi Pada, Choti Sarvan, District Banswara, Raj.-327001.(Application Id No209987).
46. Nadia Hasan D/o Sohrab Hussain, Aged About 26 Years, R/o Behind Bsnl Office, Bijoliya, District Bhilwara, Raj.-311602 (Application Id No169846).
47. Khushbu D/o Man Singh, Aged About 27 Years, R/o 132, Gopalgarh, Minwa School Ke Pass, District Bharatpur, Raj.-321001. (Application Id No193030)
48. Maya Gawariya D/o Babu Lal Gawariya, Aged About 26 Years, R/o Arniya Path, District Chittorgarh, Raj.-312612. (Application Id No191969)
49. Dilip Kumar S/o Deva Ram, Aged About 30 Years, R/o Meeno Ka Bas, Sumerpur, District Pali, Raj.-306901. (Application Id No171271)
50. Durga Kumari Vyas D/o Kalu Lal, Aged About 27 Years, R/o Warni Bhinder, District Udaipur, Raj.-313603. (Application Id No207676)
51. Hafizuddin Jatu S/o Moinuddin Jatu, Aged About 39 Years, R/o Mohalla, Qureshiyan, District Sikar, Raj.-332001. (Application Id No121628)
52. Renuka Ujjaniya D/o Shiv Dayal Ujjaniya, Aged About 31 Years, R/o Shambugarh, Ward No.4, Asind, District Bhilwara, Raj.-311204. (Application Id No180160)
53. Rekha Kumari Meena D/o Bhanuri Lal Meena, Aged About 35 Years, R/o Andhi District Jaipur, Raj.-303001. (Application Id No158507)
54. Reena Tyagi D/o Ramveer Tyagi, Aged About 28 Years, R/o Saipau, District Dholpur, Raj.-328030. (Application Id No185370)

55. Sunita Rathore D/o Rupa Ram Rathore, Aged About 46 Years, R/o E-70, Uit Colony, District Jodhpur, Raj.-342003. (Application Id No106334)
56. Priyanka Chouhan D/o Dhanwar Chouhan, Aged About 29 Years, R/o Sojati Gate, Bilara, District Jodhpur, Raj.-342602. (Application Id No184622)
57. Durga Meena D/o Nathu Lal Meena, Aged About 30 Years, R/o Mansar Kheri, Bassi, District Jaipur, Raj.-303301. (Application Id No154985)
58. Vijay Singh Rathore S/o Arjun Singh Rathore, Aged About 31 Years, R/o Bansla, District Banswara, Raj.-327608. (Application Id No205477)
59. Barma Kumari Meena D/o Gordhan Lal Meena, Aged About 32 Years, R/o Satwara, Dooni, District Tonk, Raj.-304802. (Application Id No156303)
60. Dimple Kumari Arya D/o Kailash Kumar, Aged About 27 Years, R/o Post Office Road, Sumerpur, District Pali, Raj.-306902. (Application Id No183727)
61. Manohar Lal Meghwal S/o Sama Ram Meghwal, Aged About 27 Years, R/o Pamana Sanchoe, District Jalore, Raj.-343040. (Application Id No193977)
62. Reenu Yadav D/o Trilok Chand, Aged About 29 Years, R/o Near Old Cinema Hall, Rawat Bhata, District Chittorgarh, Raj.-323307. (Application Id No197119)
63. Meera Bai Meena D/o Ghanshyam Meena, Aged About 34 Years, R/o Bahrawada, Khandar, District Sawai Madhopur, Raj.-322025. (Application Id No151857)
64. Chavali Meena D/o Chhitarmal Meena, Aged About 32 Years, R/o Charanwas, Bassi, District Jaipur, Raj.-303301. (Application Id No177009)
65. Ritesh Meena S/o Ram Kumar Meena, Aged About 30 Years, R/o Bairasar, Chhota, District Churu, Raj.-331023. (Application Id No166937)
66. Seema Harijan D/o Ladu Lal Harijan, Aged About 42 Years, R/o Ward No.6, Rawat Bhata, District Chittorgarh, Raj.-323305. (Application Id No192301)
67. Anjali Shukla D/o Surendra Kumar Shukla, Aged About 28 Years, R/o Mathnai, District Baran, Raj.-325205 (Application Id No208968)

68. Santoshi Bai Meena D/o Moosi Ram Meena, Aged About 32 Years, R/o Chhawara, Masalpur, District Karauli, Raj.-322242. (Application Id No156494)
69. Teena Bai Raghav D/o Sumer Singh Raghav, Aged About 34 Years, R/o Rajputo Ka Bas, Dheera Siwana, District Barmer, Rajasthan-344044. (Application Id No143532)
70. Snehlata Sain D/o Chhotu Lal Sain, Aged About 32 Years, R/o Mali Mohalla, Kadera Kekri District Ajmer Rajasthan 305405 (Application Id No201674)
71. Sapna Meena D/o Suresh Chand Meena, Aged About 28 Years, R/o Swarooppura, Hindoli, District Bundi Rajasthan 313203 (Application Id No187183)
72. Indra Kumari Meena D/o Kishan Lal Meena, Aged About 34 Years, R/o Wazeerpur Kalan, Sankhana District Tonk Rajasthan 304001 (Application Id No199780)
73. Aashima Sharma D/o Surendra Kumar Sharma, Aged About 31 Years, R/o Plot No 4 Tulsi Vihar District Tonk Rajasthan 304001 (Application Id No179652)
74. Asha Ram Buri S/o Prahlad Buri, Aged About 33 Years, R/o Vazirabad, District Tonk 304021 (Application Id No105752)
75. Pooja Sharma D/o Vinod Kumar Sharma, Aged About 26 Years, R/o Devatwal Colony Ward No 27 Bandikui District Dausa Rajasthan 303313 (Application Id No201427)
76. Babli Kanwar D/o Gulab Singh, Aged About 30 Years, R/o Arihant Colony, Bilara, District Jodhpur 342602 (Application Id No202709)
77. Kusum Kanwer D/o Bhanwsr Singh Nathawat, Aged About 27 Years, R/o Gudha Salt Nawa District Nagour Rajasthan 341509 (Application Id No166741)
78. Seeta Regar D/o Ram Chandra Regar, Aged About 32 Years, R/o Regar Mohlla, Rajlmangra, District Rajsamand Rajasthan 313328 (Application Id No211999)
79. Seema Kumari D/o Sahab Singh, Aged About 32 Years, R/o Bada Mohala Kumher District Bharatpur Rajasthan 321201 (Application Id No162788)
80. Somprabha D/o Bhanwar Singh Champawat, Aged About 30 Years, R/o Wadiya, Marwar Junction, District Palo 306021 (Application Id No155051)

81. Ishu Kumari Bose D/o Girdhari Lal, Aged About 27 Years, R/o Meghwalo Ka Bass Marwar Junction District Pali Rajasthan 306023 (Application Id No176971)
82. Pushpa Kumari D/o Hari Singh, Aged About 33 Years, R/o Sargaron Ka Bas, Marwar Junction District Pali Rajasthan 306021 (Application Id No167161)
83. Suresh Chandra Regar S/o Bhagwan Ram Regar, Aged About 34 Years, R/o Regaron Ka Bas Raipur District Pali Rajasthan 306304 (Application Id No166064)
84. Suresh Chandra Longesha S/o Jeeva Ram, Aged About 30 Years, R/o Meghvalon Ka Bas District Pali Rajasthan 306422 (Application Id No189024)
85. Suresh Kumar S/o Dhanna Ram, Aged About 31 Years, R/o Meghvalon Ka Bada Bas District Pali Rajasthan 306702 (Application Id No155645)
86. Shankar Lal Meena S/o Moda Ram Meena, Aged About 44 Years, R/o Birmi Rani Station Road Sumerpur District Pali Rajasthan 306115
87. Ashok Parihar S/o Kuya Ram, Aged About 32 Years, R/o Mahaveer Basti Sumerpur District Pali Rajasthan 306912 (Application Id No203741)
88. Swati Sharma D/o Nandkishor Sharma, Aged About 28 Years, R/o Bosana Dhod District Sikar Rajasthan 332025 (Application Id No162053)
89. Anita Vaishnav D/o Amar Das, Aged About 26 Years, R/o Near Balaji Mandir, Sanju District Nagour Rajasthan 341503 (Application Id No198208)
90. Deepika Sharma D/o Khem Raj Sharma, Sevagon Ka Mohalla Medta Road District Nagour Rajasthan 341511 (Application Id No188657)
91. Usha D/o Mada Ram, Aged About 31 Years, R/o Meghvalon Ka Bass Indroka, Keru District Jodhpure Rajasthan 342306 (Application Id No192796)
92. Sunita Mali D/o Bansi Lal Mali, Aged About 31 Years, R/o Ratna Colony Ward Number 7 Gandhinagar Kishangarh District Ajmer Rajasthan 305801 (Application Id No193616)
93. Gaytri Khajja D/o Nirmal Kumar Khajja, Aged About 28 Years, R/o Dongra Chhota Tahsil Sajjangarh District

Banswada Rajasthan 327602 (Application Id No211964)

94. Ranjana D/o Bhawar Lal, Aged About 28 Years, R/o Nand, Chudela Tahsil Malsisar District Jhunjhunu Rajasthan 333001 (Application Id No205564)
95. Azad Kumari Meena D/o Ramkalyan Meena, Aged About 31 Years, R/o Khedi Rai Chhipaabadod District Baran Rajasthan 325221 (Application Id No168565)
96. Usha Kumari Gurjar D/o Ranglal Gurjar, Aged About 35 Years, R/o Tonk Rajasthan (Application Id No194740)
97. Surekha Kumari D/o Goda Ram, Aged About 33 Years, R/o Malwara, Raniwara, District Jalore Rajasthan 343040 (Application Id No199799)
98. Bindu Meena D/o Madan Lal, Aged About 31 Years, R/o Ward Number 2 Udaipurwati District Jhunjhunu Rajasthan 333801 (Application Id No178446)
99. Sunil S/o Siyaram Goliya, Aged About 30 Years, R/o Kumbhara, Bhopalgarh, District Jodhpur Rajasthan 342901 (Application Id No202173)
100. Muklesh Kumari Meena D/o Durga Lal Meena, Aged About 33 Years, Meena Mohalla Dooni District Tonk Rajasthan 304802 (Application Id No191941)
101. Chakoli Bai Meena D/o Khana Ram Meena, Aged About 31 Years, R/o Jyoti Pura, Dooni, District Tonk Rajasthan 304802 (Application Id No191982)
102. Surya Prakash S/o Rana Ram Jinagar, Aged About 28 Years, R/o Jeengharon Ka Bas Rohat District Pali Rajasthan 306421 (Application Id No178837)
103. Pinky Verma D/o Chhitar Mal Verma, Aged About 29 Years, R/o Dhani Shekhawali Dantaramgarh District Sikar Rajasthan 332601 (Application Id No149580)
104. Annu Banshiwal D/o Kailash Chandra Banshiwal, Aged About 32 Years, Trishul Ki Dhani Todabheem District Karauli Rajasthan 321611 (Application Id No167078)
105. Lalita Deewan D/o Banshi Dhar Deewan, Chamundiya Bassi Aandhi District Jaipur Rajasthan 303301. (Application Id No189897)
106. Suman D/o Bhanwar Lal, Aged About 26 Years, R/o Burdi Nagaur, District Nagaur, Raj.-341022.(Application Ic

No192069)

-----Petitioners

Versus

1. The State Of Rajasthan, Through Secretary, Medical And Heath Department, Govt. Of Rajasthan, Secretariat, Jaipur (Raj.)302005
2. Director, State Health And Family Welfare, Swasthya Bhawan, Tilak Marg, C-Scheme, Jaipur. (Raj.)
3. Director, National Health Mission, Swasthya Bhawan, Ashok Nagar, Near Secretariat, Jaipur, Raj, 302005.
4. Project Director, National Health Mission, Swasthay Bhawan, Tilak Marg, Near Civil Lines, Jaipur, Raj, 302005.
5. State Institute Of Health And Family Welfare, Through His Secretary, Jhalana Institution Area, Jaipur (Raj.).

-----Respondents

For Petitioner(s) : Mr. Arvind Kumar Sharma
For Respondent(s) : Mr. Archit Bohra, AGC

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN**Order****04/11/2025**

1. Mr. Archit Bohra, AGC accepts notice on behalf of respondents.
2. These writ petitions filed with common question of law, hence tagged together and disposed at this stage with consent of the counsels for the parties as Mr. Archit Bohra, AGC put in appearance on behalf of respondents in all the matters.
3. Office is directed to reflect name of Mr. Archit Bohra, AGC as counsel for respondent.

4. This Court has also considered identical issue in case of **S.B. Civil Writ Petition No. 845/2025 titled as "Harish Kumar Yadav Vs. State of Rajasthan and connected matters"**, order dated **30.10.2025**. Considering disposal in **Harish Kumar Yadav Vs. State of Rajasthan (supra)**, we are disposing of the current petition in same manner
5. For ready reference, we are reproducing prayer of lead matter **Shalu Agarwal & Ors. Vs The State of Rajasthan & Anr.** and same is reproduced as under:
- "(1) That, kindly call for record of petition and may kindly be perused.*
- (2) That, kindly direct the respondents to allow the petitioners to join on the post of Nursing Officer without insisting to comply with the condition of bond of Five Lacs as per condition of advertisement dated 31.08.2020.*
- (3) To quash the order no. एफ20(492)एनएचएम/एचआर/सीएसआर [22/रेजिगनेशन/पार्ट/2024/74](#) dated 15.01.2025 issued by Project Director National Health Mission.*
- (4) To give direction to the respondents to relieve petitioners for joining on the post of Nursing Officer without compliance of condition of Five Lacs as per advertisement dated 31.08.2020.*
- (5) Any other appropriate order direction or relief which this Hon'ble Court deems fit and proper in the interest of justice may also be passed in favour of the petitioners and cost of writ petition may also be passed."*

6. Learned counsel for petitioners submitted that they were appointed to post of Community Health Officer (CHO) on contractual basis pursuant to advertisement dated 31.08.2020 and one of the condition of the appointment was that the candidate has to submit a bond of ₹5 lacs on a non-judicial stamp paper of ₹500/-, duly notarized to serve at SHC-HWC for a period of 5years before joining the bridge course. He further submitted that in pursuant to advertisement dated 05.05.2023, the petitioners have applied for the post of Nursing Officer and pursuant to guidelines for document verification for said post, the candidature of petitioners were either declined on the ground that petitioners have executed an employment bond in pursuance of advertisement dated 31.08.2020 for a period of 5 years or they have not deposited bond amount, so they are not eligible for appointment for the post of Nursing Officer. He further submitted that either the petitioners were forced to deposit ₹5 lac or they were not afforded appointment pursuant to selection.
7. Learned counsel for petitioners while relying on order dated 01.05.2025 in case of **Leela Kumari Vs. State of Rajasthan and Ors. (supra)** by a Co-ordinate Bench of this Hon'ble Court at Principal Seat, Jodhpur submitted that subsequent to advertisement dated 31.08.2020 the State Government has promulgated Rajasthan Contractual Hiring to Civil Post Rules, 2022 (hereinafter referred as 'the Rules of 2022') and in pursuant to said rules, the petitioners were appointed on contractual basis for a fresh term of 5years. He

further submitted that Rules of 2022 do not prescribe for any such bond as prescribed under the advertisement dated 31.08.2020, therefore the respondents cannot pursue and execute employment bond executed by the petitioners in pursuant advertisement dated 31.08.2020. He also submitted that both the posts are in same department under the Government of Rajasthan.

8. Aforesaid contentions were opposed by learned counsel for respondents and he submitted that petitioners, after selection in pursuance of advertisement dated 31.08.2020 were sent for bridge course and thereafter they have acquired a specific qualification to serve common man of the State. He further submitted that respondents have spent money from the State Exchequer to upgrade skills of present petitioners, therefore this Hon'ble Court cannot insist upon respondents for non-implementation of conditions of bond.
9. Heard learned counsel for the parties and perused the material placed on record.
10. Identical issue was considered by a Co-ordinate Bench of this Court in case of **Leela Kumari (supra)**, after placing reliance upon judgment of Co-ordinate Bench of this Court in case of **Manish Devi Meena Vs. JVVNL and Anr. (SB CWP No.385/2021 decided on 15.03.2021)** and affirmed by Division Bench of this Court in **DB Special Appeal Writ No. 304/2021 on 16.04.2021** this Court, has observed as under:
"12. This Court is of the clear opinion that the condition as prescribed in advertisement dated 31.08.2020 shall no more govern the present petitioner once she had been afforded

appointment vide a fresh appointment order in terms of Rules of 2022. Once an incumbent has been afforded appointment vide afresh appointment order, she would definitely be governed by the said order and the Rules governing the said appointment.

13. Admittedly, Rules of 2022 do not prescribe for any condition of a bond being furnished by the candidate. Further, appointment order dated 26.04.2023 (Annexure-6) also does not prescribe for any such condition. Had the intent of the State been to ensure the compliance of the bonds as furnished by the incumbents in terms of the advertisement in the year 2020, definitely a specific condition to the said effect would have been incorporated in the Rules of 2022. The same having not been incorporated, clarifies that it was never the intent of the legislature to enforce the said condition.

14. Further, even the order of appointment dated 26.04.2023 (Annexure-6) which otherwise lays down the specific conditions of appointment, does not specify any such condition of a bond.

15. In the opinion of this Court, even if there was any condition in the earlier advertisement dated 31.08.2020, the same effectively lost its efficacy after the petitioner having been afforded a fresh appointment by virtue of a fresh appointment order and that too in terms of the Rules of 2022 which were not in existence in the year 2020. The petitioner would definitely be governed by the Rules of 2022 only and she can no more be governed by any of the condition of advertisement dated 31.08.2020.

16. Further, there is one more aspect of the matter. Admittedly, the petitioner has been appointed as a 'Nursing Officer' in pursuance to a recruitment process undertaken by the State Government. That is to say, she would now also be working with the State Government only. Meaning thereby, the skills as gained by her during the training as imparted during her contractual employment, shall now be used in her

job as a 'Nursing Officer' with the State Government. It is incomprehensible as to how can it be termed to be a financial loss to the State Government when an employee who had been imparted training for some particular contractual job, continues to serve the State Government although, on regular basis. The demand for deposit of the bond amount proves out to be irrational and illogical on this count too. By all means, the direction of the State Authorities for deposit of the bond amount is bad in the eyes of law and the same cannot be upheld.

17. So far as the judgment in the case of Manisha Devi (supra) is concerned, the ratio of the same would not apply to the present matter, the same being clearly distinguishable. In the said case, the petitioner therein was appointed after furnishing the specific bond and she having been subsequently appointed qua some other service, sought direction to be relieved. Therein, the Court observed that she was bound by the conditions of her appointment. Herein, condition of the advertisement itself lost its existence/efficacy by virtue of the fresh appointment order and therefore, the said condition would not govern the present petitioner.

18. In view of the aforesaid observations, the present writ petition is allowed. The communication dated 15.01.2025 (Annexure-11) and subsequent order dated 22.01.2025 (Annexure-12) are hereby quashed and set aside. The respondents shall not pressurize the petitioner to comply with the bond dated 18.09.2021 (Annexure-4) as furnished by her and no punitive action shall be taken against her for non-compliance of the same."

11. Having considered aforementioned, it is apparent on record that petitioners were appointed by the respondents on contractual basis of CHO at SHC and HWCs as per operational guidelines of Ayushman Bharat Comprehensive

Primary Health Care through Health and Wellness Centres. Thereafter, the petitioners were selected for bridge course and they executed a condition to bound themselves to serve at SHC and HWC for a period of five years. In the meanwhile, Rules of 2022 came into force and petitioners were given a fresh appointment order, wherein there is no such condition in fresh appointment order which are also placed on record, therefore these petitions are allowed against the respondents in following terms:

(i) Condition No.17 which is reproduced as under:

"Shortlisted candidate shall have to submit a Bond of ₹ Five Lacs on ₹500 Non Judicial Stamp paper duly notarized to serve at SHC-HWC for a period of 5 years before joining the Bridge Course," is bad in eye of law in accordance with ratio laid down by a Co-ordinate Bench of this Court at Principal Seat, Jodhpur in case of **Leela Kumari (supra)**".

(ii) Any further communication in pursuant to condition No.17 for recovery of ₹5 lacs is also bad and respondents are not entitled to recovery of any amount against the said bond executed in pursuant to advt. dated 31.08.2020.

(iii) The petitioners are entitled for uninterrupted participation and posting in pursuant to advt. dated 05.05.2023, if they are otherwise eligible and their candidature cannot be rejected only on ground of condition No.17 in advt. dated 31.08.2020 (supra).

(iv) If any of the petitioner(s) has deposited ₹5 lacs either by cash or demand draft then he/she is at liberty to make a representation to respondents for refund of said amount,

deposited by him/her. The respondents are under an obligation to decide the representation with a period of 30 days from date of receipt of representation under intimation to the petitioner(s).

(v) If petitioner(s) is still aggrieved, he/she is free to resort to avail remedy, as available under the law.”

12. Accordingly, writ petitions along with pending application, if any, stands disposed of.

(ASHOK KUMAR JAIN),J