



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



D.B. Special Appeal Writ No. 401/2026

1. Indira Gandhi Balika Niketan College, Ardawata, Chirawa, District Jhunjhunu Through Its Chairman.
2. The Principal, Indira Gandhi Balika Niketan College, Ardawata, Chirawa, District Jhunjhunu Through Its Chairman.

----Appellants

Versus

1. State Of Rajasthan, Through Its Secretary, Department Of College Education, Government Secretariat, Jaipur.
2. The Director/commissioner, College Education, Bikaner (Raj.)
3. Smt. Shankuntala Patani W/o Shri R.k. Patani, Aged About 67 Years, Resident Of 677, Adarsh Nagar, Jaipur.
4. The Vice Chancellor, University Of Rajasthan, Jaipur.
5. Smt. Sanno Lal, Principal, Indira Gandhi Balika Niketan College, Ardawata, District Jhunjhunu.

----Respondents

For Appellant(s) : Mr. Ashwinee Kumar Jaiman with
Mr. Keshav Parashar

For Respondent(s) :

**HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE SHUBHA MEHTA**

Order

30/04/2026

1. Heard on application for condonation of delay in filing the appeal.
2. For the reasons mentioned in the application, the same is allowed. Delay is condoned.
3. Learned counsel appearing for the appellant submits that the directions issued by the learned Single Judge directing to further



calculate grant of retiral benefit to the writ petitioner on or before 30.06.2026 and the direction to the State to provide the funds, was beyond the issue raised by the appellant before it, which is only limited to the order passed in execution. He submits that on account of the order passed by the learned Single Judge, as above, other cases are coming up directly to the institute citing the concerned order without putting out their claim in accordance with law before the appropriate forum.

4. We find that the writ petition was filed by the appellant in the year 2015 with regard to the orders passed in the execution proceedings dated 12.10.2015 and 26.10.2015 in relation to an order passed by the Tribunal way back on 12.06.2002. Almost 25 years have passed by since the original order was passed by the Education Tribunal and the institute is still fighting not to give the benefit to the persons, who have retired long back. The directions issued by the learned Single Judge are simply innocuous and the excuse being taken by the institute relating to other persons is wholly unwarranted and misconceived. On that ground, we would not interfere with an innocuous order passed by the learned Single Judge, who always has a power under Article 226, apart from Article 227 of the Constitution of India, to direct release of retiral benefits to an individual who is before the Court and has retired long back.

5. The appeal is wholly misconceived and is, accordingly, dismissed. Pending application(s) also stand dismissed.

(SHUBHA MEHTA),J

(SANJEEV PRAKASH SHARMA),ACTING CJ