

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 4238/2026

Prakash Chand Balmiki S/o Shri Surja Ram Balmiki, Aged About
36 Years, Thana Rajaji, Rajgarha, District Alwar (Raj.)

-----Petitioner

Versus

1. State of Rajasthan, through Additional Secretary,
Panchayati Raj Department, Government Secretariat,
Jaipur, Raj.
2. Block Development Officer, Panchayat Samiti, Bandikui,
District Dausa (Raj.)

-----Respondents

For Petitioner(s)	:	Mr. Bajrang Sepat for Ms. Komal Kumari Giri
For Respondent(s)	:	Mr. Naripendra Singh Sinsinwar and Ms. Grima Arya, Asst. GC for Mr. Kapil Prakash Mathur, AAG

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

09/03/2026

1. The instant writ petition is preferred by petitioner with
following prayer:
"a) Issue an appropriate writ, order or direction,
more particularly in the nature of Certiorari,
quashing and setting aside the impugned oral
termination dated 11.08.2025 whereby the services
of the petitioner have been terminated;
b) Issue an appropriate writ, order or direction, more
particularly in the nature of Mandamus, directing the
respondents to allow the petitioner to continue on
the post of Class IV Employee and permit him to
discharge his duties forthwith;

- c) Direct the respondents to reinstate the petitioner in service with continuity of service and all consequential benefits;
- d) Direct the respondents to pay arrears of salary along with admissible benefits for the period during which the petitioner has been kept out of service;
- e) Declare that the action of the respondents in terminating the services of the petitioner without notice and without payment of notice period salary is illegal and violative of Para 19 of the Rajasthan Contractual Hiring to Civil Posts Rules, 2022;
- (f). Issue any other writ order or direction, which this Hon'ble Court deems fit and proper, may kindly be passed in favour of the petitioner."

2. Learned counsel for petitioner while referring and relying upon order dated 25.09.2024 **S.B. Civil Writ Petition No.15163/2024 titled as Shahzad Khan Nai Vs. State of Rajasthan and Ors.** submits that the controversy and the issue raised herein is already settled by a Co-ordinate Bench of this Hon'ble Court (on the basis of ratio laid down in case of **S.B. Civil Writ Petition No.4485/2024 : Atul Kumar Byadwal Vs. State of Rajasthan**). He further submitted that instant writ petition be disposed of in accordance with aforesaid order.
3. Mr. Naripendra Singh Sinsinwar and Ms. Grima Arya, Asst. GC for Mr. Kapil Prakash Mathur, AAG, accepts notice on behalf of the respondents. Office is directed to reflect name of Mr. Kapil Prakash Mathur, AAG as counsel for the respondents.
4. Having considered the submissions of learned counsel for parties and also material placed on record, the writ petition

is disposed in light of ratio laid down in case of **Shahzad Khan Nai Vs. State of Rajasthan and Ors.** (supra), after following judgment in case of **Atul Kumar Byadwal Vs. State of Rajasthan** (supra).

5. Considered the grievance raised herein, the petitioner is given a liberty to submit a representation to the respondents-Authority within a period of 30 days and the respondents-Authority are directed to consider the representation in light of ratio laid down in case of **Shahzad Khan Nai Vs. State of Rajasthan and Ors.** (supra) and **Atul Kumar Byadwal Vs. State of Rajasthan** (supra), but in case of deviation decide with a reasoned and speaking order within a period of 30 days from date of receipt of representation. After the decision, the respondents are under an obligation to communicate the order to the petitioner either by way of speed post or through E-mail, if petitioner has provided E-mail in his representation. If the petitioner is still aggrieved, he has a liberty to approach this Court with fresh petition.
6. Needless to say that if ratio is applicable upon facts of the case as claimed by the petitioner, then same benefits be extended to the petitioner.
7. With the aforesaid directions, the present writ petition with pending application, if any, stands disposed of.

(ASHOK KUMAR JAIN),J