

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3907/2026

Hanif Mohammed Pathan S/o Ismail Ahmed Pathan, Aged About
52 Years, R/o Vpo Patonda, Tehsil Anta, District Baran, Rajasthan

-----Petitioner

Versus

1. State Of Rajasthan, Through Its Secretary-Cum-Commissioner, Panchayati Raj, Rajasthan, Jaipur.
2. The Chief Executive Officer, Zila Parishad, Baran.
3. Surendra Kumar Nagar S/o Babu Lal Nagar, Through Chief Executive Officer, Zila Parishad, Baran.

-----Respondents

For Petitioner(s)	:	Mr. Ram Pratap Saini
For Respondent(s)	:	Mr. Prateek Saxena for Mr. K.P. Mathur, AAG

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

27/02/2026

1. Instant writ petition is preferred by petitioner with following prayer:
 - i) Issue an appropriate writ order or direction in the nature thereof thereby, directions be issued to the respondents to give appointment to the petitioner on the post of Teacher Grade III Level II Social Science with all consequential benefits.
 - ii) Issue an appropriate writ order or direction in the nature thereof thereby, direct the respondents to give same benefit as given in the case of SLP (C) No. 013102/2020(State of Rajasthan & Ors. Vs. Namonarayan Sharma & Ors.) decided on 28.01.2026 by the Hon'ble Apex Court.

iii) Issue an appropriate writ order or direction in the nature thereof thereby, impugned order dated 14.09.2017 may kindly be quashed and set aside by which the representation submitted by the petitioner has been rejected.

2. Mr. Prateek Saxena on behalf of Mr. Kapil Prakash Mathur, AAG accepts notice on behalf of respondent Nos. 1 and 2.
3. Office is directed to reflect name of Mr. Kapil Prakash Mathur, AAG as counsel for respondent.
4. Learned counsel for petitioner while placing reliance upon judgment in case of **State of Rajasthan and Ors. Vs. Namo Narayan Sharma reported as 2026 INSC 179** has submitted that the controversy and issue raised herein is already decided by Hon'ble Supreme Court and this writ petition be disposed of in accordance with ratio laid down by Hon'ble Supreme Court.
5. Learned counsel for respondent Nos. 1 and 2 submits that petitioner be directed to submit a representation and the respondents will examine the representation in light of judgment as referred by him.
6. 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 raising all grounds and the respondents-Authority are directed to decide the representation in light of ratio laid down in case of **State of Rajasthan and Ors. Vs. Namo Narayan Sharma (supra)**, but in case of deviation with a reasoned and speaking order within a period of 60 days from date of receipt of representation. After the decision, the respondents

are under an obligation to communicate the decision 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.

7. 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.
8. With the aforesaid directions, the present writ petition with pending application, if any, stands disposed of.

(ASHOK KUMAR JAIN),J