

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

S.B. Civil Writ Petition No. 5209/2026

Dr. Ramkrishan Sharma Son Of Shri Puranmal Sharma, Aged About 51 Years, Resident Of Village And Post Chokadi, Tehsil Khandela, District Sikar (Rajasthan)

----Petitioner

Versus

1. State Of Rajasthan, Through Its Principal Secretary To The Government, Department Of Education, Secretariat, Jaipur.
2. Managing Committee, Shri Krishan Satsang Balika P.g. Girls Collage, Near Ghantaghar, Naya Shahar, Sikar, Through Its Secretary.
3. Director, Collage Education, Shiksha Shankul, Jawahar Lal Nehru Marg, Jaipur, Rajasthan.

----Respondents

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For Petitioner(s)	:	Mr. D.P. Sharma Mr. Deepanashu Sharma Mr. Abhishek Khangarot
For Respondent(s)	:	Mr. Jitendra Kumar Takar for Mr. S.S. Naruka, AAG for Respondent Nos. 1 and 3

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**HON'BLE MR. JUSTICE ASHOK KUMAR JAIN**

**Order**

**24/03/2026**

1. Considered submission of learned counsel for petitioner.
2. Learned counsel for petitioner has placed reliance upon order dated 09.03.2026 in **S.B. Civil Writ Petition No.4234/2026** titled as **Navneet Kumar Bhat Vs. State of Rajasthan**, whereby this Court has entertained a writ petition despite the fact that a Tribunal is established under the Rajasthan Non-Governmental Educational Institution Act, 1989, hereinafter,

referred as Act of 1989, to provide alternative and efficacious remedy.

3. The contention of the counsel for petitioner is that due to non-availability of the Presiding Officer in said Tribunal, no one is looking after the Tribunal under the Non-Governmental Educational Institution Act, 1989 and petitioner cannot be left midway, and now has no option to avail any remedy under the law, except invocation of jurisdiction of this Court.

4. This Court after considering the judgment in case of **Marwari Balika Vidyalaya Vs. Asha Srivastava (2020) 14 SCC 449** has entertained a writ petition under Article 226 of the Constitution of India, considering a fact that the educational institutions are discharging a public duty and they are comparable with Government institution in educational field.

5. The counsel for petitioner has further referred judgment in case of **Gajanand Sharma Vs. Adarsh Siksha Parishad Samiti & Ors.: 2023 INSC 58** and submitted that contrary to the provisions of the Act of 1989, the services of the petitioner were terminated by the respondent No.2. He further submitted that the issue pertains to adoption of unfair practices during public examination, wherein the petitioner has reported the matter and the management, aggrieved from reporting by the petitioner has decided to fire him w.e.f. from 01.05.2026 (Annexure-6). He also submitted that later this was modified and petitioner was terminated w.e.f. 28.02.2026.

6. Considering the submission of learned counsel for petitioner and the issues raised herein, issue notice to respondents.

7. Additional service upon standing counsel of respondent No.1 and 3 is permitted.
8. Mr. Jitendra Kumar Takar on behalf of Mr. S.S. Naruka, AAG accepts notice for respondent Nos. 1 and 3.
9. Issue notice to respondent No.2.
10. Additional service by speed post is also permitted.
11. Considered stay application.
12. The termination order dated 28.01.2026 indicate that services of petitioner were terminated and relieved with effect from afternoon of 30.04.2026, but a subsequent order dated 26.02.2026 indicate that the initial order dated 28.01.2026 was modified and the petitioner was relieved from duty on 28.02.2026 after making advance payment of salary of two months.
13. The order dated 26.02.2026 (Annexure-7) and order dated 28.01.2026 (Anneuxre-6) are stayed till further orders and the respondent No.2 is directed to continue petitioner as Principal of Shri Krishan Satsang Balika P.G. Girls College, Sikar. It is the duty of the respondent No.3 that petitioner is continued and discharge duty as Principal of the College.
14. List this matter on 04.05.2026.

(ASHOK KUMAR JAIN),J