

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



S.B. Civil Writ Petition No. 5912/2026

1. Amit Kumar Sen S/o Shambhulal Sen, Aged About 30 Years, R/o Sadar Bazar, Masuda, District Ajmer, Rajasthan-305623.
2. Shahrukh Khan S/o Fahimuddin, Aged About 29 Years, R/o 92/14, Farsh Gali Nala Mohalla, Opposite Police Chowki, Beawar, District Ajmer, Rajasthan-305901.
3. Saroj Sharma D/o Vishnu Dutt Sharma, Bawari Ke Bhate Ke Pass, Vtc Jaliya Ii, Po Bijainagar, Masuda, District Ajmer, Rajasthan-305624.

-----Petitioners

Versus

1. The State Of Rajasthan, Through Its Principal Secretary, Department Of Social Justice And Empowerment, Government Of Rajasthan, Govt. Secretariat, Jaipur, Rajasthan.
2. Director, Rajasthan Residential Educational Institutions Society, Social Justice And Empowerment Department, Room No. 411, Ambedkar Bhawan, Near Civil Lines Phatak, District Jaipur, Rajasthan.
3. Principal Secretary, Secondary Education Department, Government Of Rajasthan, Govt. Secretariat, Jaipur, Rajasthan.
4. Director, Directorate Of Secondary Education, District Bikaner, Rajasthan.
5. Principal, Devnarayan Government Boys Residential School, Masuda, Beawar.

-----Respondents

For Petitioner(s)	:	Mr. Harendra Neel
For Respondent(s)	:	

HON'BLE MR. JUSTICE RAVI CHIRANIA**Order****01/04/2026**

1. Learned counsel for the petitioners seeks permission to withdraw the present writ petition in respect of the petitioner No.3 - Saroj Sharma as no supporting documents have been filed in respect of the said petitioner.
2. Permission is granted.
3. Accordingly, the present civil writ petition qua petitioner No.3 - Saroj Sharma is dismissed as withdrawn.
4. The present civil writ petition now survives for petitioner Nos. 1 and 2.
5. Learned counsel for the petitioners submits that the petitioner Nos. 1 and 2 were appointed by the respondents on contractual basis vide order dated 27.09.2024 and since then, they are working continuously for the respondents. However, the respondents issued the advertisement dated 23.03.2026 by which they invited fresh applications for the appointment of Guest Faculty of different subjects on contractual basis for the academic session 2026-27.
6. Learned counsel further submits that in view of the law settled by the Hon'ble Supreme Court that an adhoc employee cannot be replaced by another adhoc employee and he can be replaced only by another candidate appointed through a regular procedure. Reliance is placed upon the judgments of Hon'ble Supreme Court; **Rattan Lal & Ors. Vs. State of Haryana & Ors. (1985) 4 SCC 43** and **Hargurpratap Singh Vs. State of Punjab & Ors. (2007) 13 SCC 292**. Learned counsel submits

that the respondents cannot replace contractual employees by another set of contractual employees. Thus, prayed that contractual services of the petitioners may be protected.

7. This Court has considered the submissions made on behalf of learned counsel for the petitioners and finds that the appointment of the petitioners on contractual basis was made by the respondents in the year 2024 and presently they are working and their period is upto 31.03.2026.

8. In view thereof, the respondents are hereby directed not to replace or remove the petitioners, who are working as Lecturer (Mathematics) and Lecturer (Science), in pursuance of the impugned order dated 23.03.2026.

9. Issue notice to the respondents, returnable within a period of four weeks.

10. The petitioner is directed to file the amended cause-title.

(RAVI CHIRANIA),J