

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



(1) S. B. Civil Writ Petition No. 15084/2016

- 1 Rakesh Saini S/o Sh. Jagdish Prasad Saini, Aged About 40 Years, R/o Village Ratan Nagar, Railway Station Dabla, Tehsil Neem Ka Thana, Distt. Sikar. (Raj.)
- 2 Om Prakash S/o Sh. Vida Ram, Aged About 46 Years, R/o Village And Post Somala, Tehsil Hindaun City, Distt. Karauli (Raj.)
- 3 Vijay Kumar S/o Lada Ram, Aged About 43 Years, R/o Plot No. 137, Yagshala Ki Bavadi, Harijan Basti, Purani Basti, Jaipur (Raj.)
- 4 Firoj Khan Kureshi S/o Sh. Babudin Kureshi, Aged About 40 Years, R/o 131, Painter Colony, Meeno Ka Tiba, Nahari Ka Naka, Near Neha Nursing Home Babi Gali Me, Shastri Nagar, Jaipur (Raj.)
- 5 Vijendra Goyar S/o Sh. Shyam Lal Goyar, Aged About 43 Years, R/o 43, Nahargarh Kile Ke Niche, Purani Basti, Jaipur (Raj.)
- 6 Rajendra Kumar S/o Sh. Sohan Lal, Aged About 40 Years, R/o A-5, Amritpuri, Ghatgate, Jaipur.
- 7 Rakesh Ranawat S/o Sh. Prahalad Sahay, Aged About 39 Years, R/o A 327, Purana Vidhyadhar Nagar, 15 No. Bus Stand Opp. Dashahra Park, Jaipur.
- 8 Om Prakash S/o Narayan Lal, Aged About 43 Years, R/o Plot No. 241, Shyampuri Hida Ki Mori, Near Gandhi Circle, Jaipur.
- 9 Puran Mal Dhanka S/o Sh. Babu Lal Dhanka, Aged About 37 Years, R/o Village Ramsinghpura, Post Vatika, Tehsil Sanganer, Jaipur.
- 10 Nand Ganesh Sharma S/o Sh. Shyoji Lal Sharma, Aged About 39 Years, R/o Village Dhola Ka Kheda, Post Dhuli, Tehsil Malpura, Distt. Tonk.
- 11 Sher Singh S/o Sh. Kishore Singh Rathore, Aged About 39 Years, R/o Near Gurudwara, Ajmer Road, Jaipur.
- 12 Ramesh S/o Kaluram, Aged About 42 Years, R/o 3624, Chenapuria Harijan Basti, Chokdi Topkhana Huzuri, Jaipur.
- 13 Naresh Verma S/o Sh. Shambhu Dayal, R/o Village And Post Saiwar, Shahpura, Jaipur.
- 14 Dharmendra Kumar Sharma S/o Sh. Sitram Sharma, R/o

Village Kanpura, Post Mahar Kalan, Via Samod. Tehsil Chomu, Distt. Jaipur.

- 15 Pawan Rana S/o Sh. Om Prakash Rana, R/o B- 48, Mahatama Colony, Nahari Ka Naka, Near Panchmukhi Hanuman Mandir, Jaipur.
- 16 Raj Kumar Srimal S/o Sh. Prem Chand Srimal, R/o 6-B, Geeta Bhawan, Shyam Mandir Ki Gali, Hida Ki Mori, Ramganj, Jaipur.
- 17 Ashok Kumar Tiwari S/o Sh. Radhe Shyam, R/o Village And Post Kalota Via Kundal, Distt. Dausa.
- 18 Sushil S/o Sh. Laxmi Narayan Biwal, Aged About 41 Years, R/o Hida Ki Mori, Gandhi Circle, Jaipur.

----Petitioners

Versus

- 1 The State Of Rajasthan, Through Principal Secretary, Department Of Personnel, Government Secretariat, Jaipur.
- 2 The Assistant Secretary, Department Of Personnel (Kh-2), Government Of Rajasthan, Government Secretariat, Jaipur.
- 3 Babu Lal Verma S/o Sh. Dalu Ram, Aged About 54 Years, R/o 146, Panchayat Ki Dukano Ke Pass, Behind Power House, Muhana Road, Bhankrota, Jaipur.
- 4 Manju Devi Sharma W/o Sh. Navneet Sharma, Aged About 57 Years, R/o 5253, Surajpole Gate, Jugal Jodi Hanuman Mandir, Galta Road, Jaipur.
- 5 Rajendra Prasad Meena S/o Sh. Mool Chand Meena, Aged About 50 Years, R/o Plot No. A/2, Narvar Puri Colony, Badan Pura Road, Jaipur.
- 6 Sonu Prasad S/o Sh. Radhe Shyam Prasad, Aged About 45 Years, R/o 2-B-37, Shiv Shakti Colony, Shastri Nagar, Jaipur.
- 7 Shiv Ram Vaishnav S/o Sh. Dhanna Das, Aged About 57 Years, R/o Plot No. 8, Heera Vihar Shri Ji Nagar, Rampura Road, Sanganer, Jaipur.
- 8 Ram Charan Sharma S/o Sh. Nand Lal Sharma, Aged About 56 Years, R/o Plot No. 57, Nand Vihar, Shyopur Road, Pratap Nagar, Jaipur.
- 9 Kailash Chand Sharma S/o Sh. Ram Rai Sharma, Aged About 51 Years, R/o Village Kalota, Tehsil Dausa.

- 10 Shyam Sunder Gurjar, S/o Sh. Hanuman Sahay Gurjar, Aged About 50 Years, R/o 4105 Gangabaksh Joshi Ka Rasta, Galta Road, Jaipur.
- 11 Dharmendra Kumar Mishra, S/o Sh. Prassan Kumar, Aged About 49 Years, R/o Plot No. 15 New Colony, Near Railway Station, Pot Khadi Baag, Chomu, Distt. Jaipur.
- 12 Raghuveer Singh, S/o Sh. Dhar Singh, Aged About 44 Years, R/o C-209, Tara Nagri Khirni Phatak Ke Pass Jhotwara, Jaipur.
- 13 Radheshyam Bohara S/o Sh. Babu Lal, Aged About 43 Years, R/o 1125 Saha Sadan, Barkat Nagar, Kisan Marg, Jaipur.
- 14 Ram Babu Sharma, S/o Sh. Bakesh Sharma, Aged About 43 Years, R/o Shriji Sadan, Post Office Ke Samne, Tonk Road, Jaipur.
- 15 Deep Singh Shekhawat, S/o Sh. Sher Singh Shekhawat, Aged About 43 Years, R/o 27 Shankar Nagar Kagdiwada, Bhramपुरi, Jaipur.
- 16 Rakesh Kumar Sharma, S/o Sh. Hanuman Sahay Sharma, Aged About 42 Years, R/o H.no. 38 Bn Colony, Hatwara Road, Jaipur.
- 17 Kalu Singh, S/o Sh. Poonam Chand Gahlot, Aged About 60 Years, R/o Plot No. F-3, Prem Nagar, Jhotwara, Jaipur.
- 18 Suresh Kumar Padiyar, S/o Sh. Ram Sahay Sain, Aged About 58 Years, R/o Village Chandlai, Via Shivdas, Tehsil Chaksu, Dist. Jaipur.
- 19 Mahindra Kumar, S/o Sh. Ram Das, Aged About 57 Years, R/o Loco Colony, Hasanpura, Jaipur.
- 20 Ramesh Kumar Upadhyay, S/o. Bhanwar Lal, Aged About 57 Years, R/o 2-D-29, Vishvkarma Colony, Tara Nagar, Shastri Nagar, Jaipur.
- 21 Prem Bai Gurjar W/o Sh. Chote Lal Gurjar, Aged About 56 Years, R/o 49 Vijay Sigh Pathik Nagar, Kalwar Road, Jhotwara, Jaipur.
- 22 Narendra Singh S/o Sh. Jawahar Singh, Aged About 53 Years, R/o 198 Om Shiv Colony, Marg No. 4, Near Railway Phatak, Jaipur.
- 23 Umed Singh S/o Sh. Bhagwan Singh, Aged About 51 Years, R/o 6, Shrirampuri Colony, Shalimar Chouraha Ke Aage,

Niwari Road, Jhotwara, Jaipur.

- 24 Khem Chand Sharma S/o Sh. Chiman Lal Sharma, Aged About 51 Years, R/o B/44, Navdeep Vihar, Lalanpura, Heerapura, Jaipur.
- 25 Jai Kumar Meena, S/o Sh. Mool Chand Meena, Aged About 51 Years, R/o Village Chawandiya, Bawadi Ki Dhani, Tehsil Bassi, Distt. Jaipur.
- 26 Durga Prasad Sharma S/o Sh. Shiv Sahay Sharma, Aged About 50 Years, R/o Village And Post Bobas Railway Station, Tehsil Phulera, Distt. Jaipur.
- 27 Shyam Singh Shekhawat S/o Sh. Ganga Singh Shekhawat, Aged About 49 Years, R/o B-82, Bhagwan Bahubali Nagar, Niwaru Road, Jhotwara, Jaipur.
- 28 Naval Kishore Vijay S/o Sh. Jagdish Narayan Vijay, Aged About 48 Years, R/o 4172, Murli Manohar Ji Ka Mandir, Ganga Baksh Joshi Ka Rasta, Surajpole, Galta Road, Jaipur.
- 29 Raj Rajeshwar Sharma S/o Sh. Hanuman Sahay Sharma, Aged About 48 Years, R/o 26, Shanti Colony, Outside Gangapole Gate, Badanpura, Jaipur.
- 30 Vinod Kumar Sharma, S/o Sh. Shyam Lal Sharma, Aged About 48 Years, R/o 113, Jeen Mata Ka Khurra, Galta Road, Jaipur.
- 31 Gopal Kumawat, S/o Sh. Bhairu Lal, Aged About 47 Years, R/o 87, Shivpuri Colony, Shriram Nagar, Jaipur.
- 32 Brij Mohan Yogi, Aged About 46 Years, R/o Pinjarpol Goshala, Tonk Road, Sanganer, Jaipur.
- 33 Kanhaiya Lal Saini, Aged About 46 Years, R/o Nayabas, Jodhpura, Via Kankreda, Chomu, Distt. Jaipur.
- 34 Ashok Kumar Udawat, S/o Sh. Kanhaiya Lal, Aged About 46 Years, R/o 85, Hathi Babu Ka Hatta, Station Road, Opp. Polovictory Cinema, Jaipur.
- 35 Banwari Lal Saini, S/o Sh. Laxman Prasad Saini, Aged About 46 Years, R/o 18-B Govind Vihar Vistar, Gurjar Ki Thadi, Jaipur.
- 36 Geeta Devi Pareek, W/o (Late) Sh. Shiv Kumar Pareek, Aged About 44 Years, R/o 14, Kaushalya Bhawan, Bhartiya Colony, Shivaji Nagar, Bhramपुरi, Jaipur.
- 37 Shambhu Singh, S/o Sh. Jagdish Singh, Aged About 62 Years, R/o 59, Shanti Nagar, Jaipur.

- 38 Babu Lal Sharma, S/o Sh. Hanuman Sahay Sharma, Aged About 60 Years, R/o 50, Seemawaton Ki Dhani, C-Hasanpura, Jaipur.
- 39 Asha Devi Meena, W/o Sh. Hanuman Sahay, Aged About 59 Years, R/o 7, Purani Ghat, Khaniya, Agra Road, Opp. Jain Mandir, Jaipur.
- 40 Ramesh Chand Sharma, S/o Sh. Roop Narayan Sharma, Aged About 58 Years, R/o 68, Maisingh Pura, Tonk Road, Jaipur.
- 41 Mahendra Singh Gurjar, S/o Sh. Jwan Singh, Aged About 58 Years, R/o Quarter No. H-501, Gandhi Nagar, Jaipur.
- 42 Banwari Lal Sharma, S/o Sh. Kanhiya Lal Sharma, Aged About 57 Years, R/o Village And Post Danau Khurd, Via Tunga, Tehsil Bassi, Jaipur.
- 43 Ram Kishore Sharma, S/o Sh. Mohan Lal Sharma, Aged About 57 Years, R/o Village Manda, Post Kalwar, Distt. Jaipur.
- 44 Hanuman Sahay Jat S/o Sh. Devi Lal Jat, Aged About 57 Years, R/o Bijaniyo Ki Dhani, Village Bihari Pura, Post Sisrali, Via Chomu, Distt. Jaipur.
- 45 Ranjeet Singh Rajput, S/o Sh. Sampat Singh, Aged About 57 Years, R/o 488, Jadoun Nagar, Opp. Railway Station, Durgapura, Jaipur.
- 46 Rajesh Kumar Sharma, S/o Sh. Mohan Lal Sharma, Aged About 51 Years, R/o Village Danaas Post Jobner, Distt. Jaipur.
- 47 Chittar Mal Dhaka S/o Sh. Babu Lal Dhaka, Aged About 51 Years, R/o Village Ramsinghpura Post Vatika, Tehsil Sanganer, Jaipur
- 48 Ram Lal Gurjar, S/o Sh. Mangla Ram Gurjar, Aged About 51 Years, R/o Village Sirohi, Tehsil Amer, Distt. Jaipur.
- 49 Rakesh Kumar Sharma, S/o Sh. Om Prakash Sharma, Aged About 51 Years, R/o Station Road, Indira Colony, Near Saraswati School, Ward No. 15, Chomu, Distt. Jaipur.
- 50 Rajendra Singh S/o Sh. Phool Singh, Aged About 50 Years, R/o 302/29 Phase-1, Baijai Ki Kothi, Gali No. 2, Jhalana Doongri, Jaipur.
- 51 Virendra Singh S/o Sh. Ganesh Singh, Aged About 50 Years, R/o Plot No. 28, Sarod Nagar, Niwaru Road,

Jhotwara, Jaipur.

- 52 Ram Singh Shekhawat S/o Sh. Ganga Singh Shekhawat, Aged About 49 Years, R/o B-82, Bhagwan Bahubali Nagar, Niwaru Road, Jhotwara, Jaipur.
- 53 Pawan Kumar Arya S/o Sh. Ram Lal Arya, Aged About 49 Years, R/o Hida Ki Mori, Shyampurai, Jaipur.
- 54 Ramesh Chand Saini S/o Sh. Ramswaroop Saini, Aged About 48 Years, R/o 124/16, Thadi Market, Agarwal Farm, Mansarovar, Jaipur.
- 55 Dilip Kumar Sain S/o Mangtu Ram Sain, Aged About 48 Years, R/o 64/577, Pratap Nagar, Jaipur.
- 56 Ram Singh Rathore S/o Sh. Ganesh Singh Rathore, Aged About 47 Years, R/o Hh, 124 Rajput Colony, Jhalana Marg, Malviya Nagar, Jaipur.
- 57 Arvind Kumar Sharma S/o Sh. Om Prakash Sharma, Aged About 47 Years, R/o Station Road, Indira Colony, Near Saraswati School Ward No. 15 Chomu, Distt. Jaipur.
- 58 Rameshwar Prasad Sain S/o Sh. Ganga Sahay Sain, Aged About 47 Years, R/o 78 Basant Vihar, B Colony, Agra Road, Jaipur.
- 59 Rang Lal Gurjar S/o Sh. Sanwal Ram Gurjar, Aged About 46 Years, R/o Village Damshya, Tehsil Jamwaramgarh, Distt. Jaipur.
- 60 Surendra Singh Meena S/o Sh. Batti Lal Meena, Aged About 46 Years, R/o B-220, Shiv Officer Colony, Ras Colony, Jagatpura, Jaipur.
- 61 Parwat Singh S/o Sh. Chandar Singh, Aged About 44 Years, R/o D-1-27, Shekhawat Colony, B Murti Nagar, Meena Wala Sirsi Road, Jaipur.
- 62 Vikram Singh Rathore S/o Sh. Kishore Singh Rathore, Aged About 41 Years, R/o G-69, Majdoor Nagar, Ajmer Road, Jaipur.
- 63 Mahesh Singh S/o Sh. Ram Lal Singh, Aged About 68 Years, R/o H-2, Majdoor Nagar, Ajmer Road, Jaipur.
- 64 Prabhu Lal Raiger S/o Sh. Mool Chand Raiger, Aged About 58 Years, R/o Village Ramchandra Pura, Post Bhidani Via Vatika, Tehsil Sanganer, Jaipur.
- 65 Ranveer Singh Rathore S/o Sh. Mangal Singh, Aged About 56 Years, R/o 10, Kamla Nagar, Behind Choradiya Petrol

Pump, Sanganer, Jaipur.

- 66 Mahendra Singh S/o Sh. Kan Singh, Aged About 54 Years, R/o Plot No. 12, Shriram Nagar Colony, Sodala Jaipur.
- 67 Ramgopal Meena S/o Sh. Sitaram Meena, Aged About 54 Years, R/o 4582 Surajpole Bazar, Opp. Darbar School, Jaipur.
- 68 Nand Kishore Mehra S/o Sh. Kailash Shankar Mehra, Aged About 54 Years, R/o 1818, Mehro Ki Nadi, Ramchandra Ji Ki Chokri, Jaipur.
- 69 Jagdish Prasad Gurjar S/o Sh. Kanchan Singh Gurjar, Aged About 53 Years, R/o Village Aashapura, Ward No. 1, Tehsil Baswa, Panchayat Samiti Bandikui, Dausa.
- 70 Mangi Lal Gurjar S/o Sh. Shriya Ram Doi, Aged About 52 Years, R/o Village And Post Kanota, Via Kunda, Distt. Dausa.
- 71 Babu Lal Sharma S/o Sh. Rudmal Sharma, Aged About 52 Years, R/o Village And Post Lubana, Via Achori, Tehsil Amer, Distt. Jaipur.
- 72 Pappu Lal Sain S/o Sh. Prahalad Sahay Sain, Aged About 52 Years, R/o H-532 Gandhi Nagar, Jaipur.
- 73 Meena Devi W/o Sh. Kailash Singh, Aged About 51 Years, R/o 754, Sanjay Nagar, Kachi Basti, Near Dcm, Ajmer Road, Jaipur.
- 74 Jamaluddin S/o Bablu Khan, Aged About 51 Years, R/o 1664B, Kanwatiyo Ki Pipli, Near Ramgan Bazar, Masjid, Jaipur.
- 75 Naushad Khan S/o Sh. Dilwar Khan, Aged About 50 Years, R/o 104, Pathano Ka Chowk, Brahmpuri, Jaipur.
- 76 Girraj Prasad Bairwa S/o Sh. Ram Sahay, Aged About 50 Years, R/o Village Girdharpura, Post Kelai, Tehsil Sikrai, Distt. Dausa.
- 77 Surendra Singh Chauhan S/o Sh. Kalyan Singh Chouhan, Aged About 50 Years, R/o F-49, Saroj Pharm, Nandpuri, Jaipur.
- 78 Rameshwar Prasad Meena S/o Sh. Panchu Ram Meena, R/o Village Kala Kho, Tehsil Sikarai, Distt. Dausa.
- 79 Kanhaiya Lal Mahawat S/o Sh. Chhoti Lal, Aged About 50 Years, R/o Sh. Plot No. 2818, Chokri Topkhana, Hajuri Ki Kothi. Kheliyon Machli Market, Near Ganga Mata Mandir,

Jaipur.

- 80 Narendra Singh S/o Sh. Bhanwar Singh, Aged About 50 Years, R/o Plot No. 175, Pratap Nagar, Murlipura Scheme, Jaipur.
- 81 Jai Prakash Devanda S/o Sh. Ganga Ram Devanda, Aged About 49 Years, R/o Village Nangal Siras, Tehsil Amer, Distt. Jaipur.
- 82 Satya Narayan Bijaarniya S/o Sh. Mohan Lal Bijarniya, Aged About 48 Years, R/o Village Bihari Pura, Post Sisarli, Amer, Via Chomu, Distt. Jaipur.
- 83 Narpat Singh S/o Sh. Ramdeedn Singh, Aged About 48 Years, R/o 43/35/8, Swarn Path, Mansarovar, Jaipur.
- 84 Vijay Solanki S/o Sh. Jagdish Lal Solanki, Aged About 48 Years, R/o Plot No. 111, Gali No. 7, Queens Road, Jaipur.
- 85 Ashutosh Sharma S/o Sh. Laxmi Kumar Sharma, Aged About 47 Years, R/o 46, Murti Nagar, Sirsi Road, Jaipur.
- 86 Manish Sadhvani S/o Sh. Prabhu Dayal Sadhwani, Aged About 46 Years, R/o 52/122, Rajat Path, Mansarovar, Jaipur.
- 87 Mahaveer Sharma S/o Sh. Jata Shankar Sharma, Aged About 46 Years, R/o 4310, Govind Rai Ji Ka Rasta, Aakhri Chouraha, Purani Basti, Jaipur.
- 88 Lakh Raj Meena S/o Sh. Hanuram Prasad Meena, Aged About 44 Years, R/o 163, Sadbhawana Nagar, Meeno Ki Aara Mashine Ke Samene, Nangla Susavatan, Naradpura, Kunda, Amer, Jaipur.
- 89 Rampal Sharma S/o Sh. Chittar Mal Sharma, Aged About 64 Years, R/o Village Rampura, Post Bilwa, Distt. Jaipur.
- 90 Mahaveer Prasad Balai S/o Sh. Manna Lal Jain, Aged About 61 Years, R/o 61/231, Pratap Nagar, Sanganer, Jaipur
- 91 Raj Kumari Sharma W/o Sh. Ganga Sahay Sharma, Aged About 61 Years, R/o S-6, Nayala House, Anand Puri, Moti Doongri Road, Jaipur.
- 92 Asha Bhatnagar W/o Sh. Ramniwas Bhatnagar, Aged About 61 Years, R/o 262/147, Gandhi Kuteer, Pratap Nagar Sanganer, Jaipur.
- 93 Vimla Devi Meena W/o Sh. Hauman Sahay, Aged About 61 Years, R/o 163, Sadbhawana Nagar, Meeno Ki Aara Mashine Ke Samene, Nangla Susavatan, Naradpura, Kunda, Amer,

Jaipur.

- 94 Manak Chand Pareek S/o Sh. Gopal Lal Pareek, Aged About 59 Years, R/o Plot No. 7988, Pawan Putra Ji Colony, Panchawala, Amrpali Marg, Karni Palace Rod, Vaishali Nagar, Jaipur.
- 95 Ram Kishor S/o Sh. Panchu Ram Sharma, Aged About 59 Years, R/o 94, Hasanpura C, Saiyo Ki Masjid Ke Pass, Jaipur.
- 96 Ashok Sharma S/o Sh. Gopal Bihari Sharma, Aged About 59 Years, R/o 4118, Ganga Bax Mali Ki Gali, Nahar Garh Road, Jaipur.
- 97 Salab Kumar S/o Sh. Mahaveer Singh, Aged About 58 Years, R/o 602, Murlipura Scheme, Vishvkarma Sikar Road, Jaipur.
- 98 Ram Prasad Sharma S/o Sh. Ramniwas Sharma, Aged About 57 Years, R/o C/o Ganesh Chand, 272, Surya Nagar, Gopalpura Bypass, Jaipur.
- 99 Vijay Laxmi W/o Sh. Ganpat Singh, Aged About 57 Years, R/o Plot No. 8, Village Prempura, Near Jharkhand Mahadev, Vaishali Nagar, Jaipur.
- 100 Laxman Gurjar S/o Sh. Prabhu Narayan Gurjar, Aged About 56 Years, R/o 512-513, Kalyan Bhawan, Luharon Ka Khurra, Ghate Gate, Jaipur.
- 101 Lal Chand Verma S/o Sh. Dhanna Lal, Aged About 55 Years, R/o 67, Purhoit Ji Ka Bagh, 22 Godam, Hawa Sarak, Jaipur.
- 102 Rekha Tejawani W/o Sh. Kishan Chand Tejawani, Aged About 55 Years, R/o 2184, Denanath Ji Ka Rasta, Chandpole Bazar, Jaipur.
- 103 Pawan Kumar S/o Sh. Jagdish Prasad Sharma, Aged About 55 Years, R/o B-474, Murlipura Scheme, Jaipur.
- 104 Mahesh Chand Meena S/o Sh. Santu Ram Meena, Aged About 55 Years, R/o H. No. 8, Saini Colony, C-3, Mahesh Nagar, Jaipur.
- 105 Ram Charan Meena S/o Sh. Kishori Lal Meena, Aged About 55 Years, R/o 358-A, Kusum Vihar, Jagatpura, Jaipur.
- 106 Deepak Kumar Sharma S/o Sh. Kailash Chand Sharma, Aged About 55 Years, R/o 30-32, Ramdware Ki Gali, Bagru Walo Ka Rasta, Panchwa Chouraha, Chandpole Bazar,



Jaipur.

- 107 Madan Lal Saini S/o Sh. Nanga Ram Saini, Aged About 54 Years, R/o 429, Khatipura Road, Hasanpura, Jaipur.
- 108 Ram Babu Gurjar S/o Sh. Prabhu Narayan Gurjar, Aged About 52 Years, R/o 512-513, Kalyan Bhawan, Luharon Ka Khurra, Ghat Gate, Jaipur,
- 109 Girraj Pareek S/o Sh. Braj Mohan Pareek, Aged About 52 Years, R/o 326, Gautam Nagar Tonk Phatak, Jaipur.
- 110 Lalit Mohan Verma S/o Sh. Nathu Lal, Aged About 52 Years, R/o 22, Hasanpura B, Raiger Basti, Jaipur
- 111 Ramphool Meena S/o Sh. Ram Nath Meena, Aged About 52 Years, R/o Village Jhar, Post Dudli, Tehsil Bassi, Distt. Jaipur.
- 112 Om Prakash Mourya S/o Sh. Lal Chand, Aged About 51 Years, R/o 17, Hasanpura, Jaipur.
- 113 Devi Nandan S/o Sh. Shrawan Kumar, Aged About 51 Years, R/o 100, Ashok Pura Sodala, Jaipur.
- 114 Suresh Chand Sharma S/o Sh. Bihari Lal Sharma, Aged About 50 Years, R/o Post Achalpura, Tehsil Chaksu, Distt. Jaipur.
- 115 Babu Lal Gurjar S/o Sh. Kishori Lal Gurjar, Aged About 49 Years, R/o Village Jaipual Pura, Post Pahadiya Peepala Via Chittora, Renwal Majhi, Tehsil Phagi, Distt. Jaipur.
- 116 Yogesh Kumar Sain S/o Sh. Radheshyam Sain, Aged About 49 Years, R/o 150, Subhash Colony, Shastri Nagar, Jaipur.
- 117 Lekh Raj Harijan S/o Sh. Badri Lal, Aged About 49 Years, R/o 3/497, Jawahar Nagar, Teela No 3, Kachi Basti, Jaipur.
- 118 Sunil Panwar S/o Sh. Mohan Lal, Aged About 47 Years, R/o 8, Gangauri Bazar, Near Chougaan Stadium, Jaipur.
- 119 Rajendra Singh S/o Sh. Matadeen, Aged About 47 Years, R/o D-58, Yogi Marg, Mazdoor Nagar, Ajmer Road, Jaipur.
- 120 Mahendra Singh Bisth S/o Sh. Bacche Singh, Aged About 47 Years, R/o 29, Chatarpal Nagar Ii, Near Bus Stand, Jagatpura, Jaipur.
- 121 Rajendra Kumar Sharma S/o Sh. Shastri Kumar Sharma, Aged About 47 Years, R/o 17/c-469, Kailash Puri Kachi Basti, Amer Road, Jaipur.
- 122 Ashok Kumar Chanwaria S/o Sh. Shiv Charan, Aged About



- 46 Years, R/o Bhramपुरi, Harijan Basti, Near Chougan Stadium, Jaipur.
- 123 Dinesh Nakwal S/o Sh. Bhagwan Sahay, Aged About 46 Years, R/o A-18, Amrat Puri, Ghat Gate, Jaipur.
- 124 Santosh Kanwar S/o Sh. Mohan Lal, Aged About 46 Years, R/o S-27, Vishwakarma Colony, Shastri Nagar, Jaipur.
- 125 Vinod Kumar Jaiswal S/o Sh. Ramji Lal, Aged About 46 Years, R/o Village Kanota, Tehsil Bassi, Distt. Jaipur.
- 126 Jeetu Pareek S/o Sh. Radha Kishan Pareek, Aged About 45 Years, R/o Plot No. 12 B, Krishna Nagar, Imli Phatak, Jaipur.
- 127 Laxmi Narayan Pipliwal S/o Sh. Panna Lal Raiger, Aged About 45 Years, R/o 957/30, Bai Ji Ki Kothi, Jhalana Doongri, Jaipur.
- 128 Ramji Lal Sharma S/o Sh. Radheshyam Sharma, Aged About 43 Years, R/o Post Kuthara, Tehsil Bassi, Distt. Jaipur.
- 129 Data Ram Dhakad S/o Sh. Gulab Chand, Aged About 43 Years, R/o Plot No. 92 Barah Mori, Ram Khol, Nahargarh Road, Kile Ke Neeche, Bhramपुरi, Jaipur.
- 130 Suresh Kumar Maurya S/o Sh. Ram Dhan, Aged About 42 Years, R/o Plot No. 86, Hasanpura, Jaipur.
- 131 Ajay Kumar Meena S/o Sh. Hanuman Sahay Meena, Aged About 42 Years, R/o Village Benar, Tehsil Amer, Distt. Jaipur.
- 132 Jaman Sahay S/o Sh. Kana Ram, Aged About 60 Years, R/o Village Dehta, Post Palri, Tehsil Viratnagar, Jaipur.
- 133 Subhash Chand S/o Sh. Jamna Prasad, Aged About 57 Years, R/o 1057, Char Darwaja, Gangapole, Jaipur.
- 134 Bhanwar Lal Verma S/o Sh. Hanuman Prasad, Aged About 55 Years, R/o 1304, Gulab Bari, Uniyaron Ka Rasta, Chandpole Bazar, Jaipur.
- 135 Mohan Lal Khinchi S/o Sh. Badri Narayan, Aged About 54 Years, R/o 210 Shivaji Nagar Shastri Nagar, Jaipur.
- 136 Raj Kumar S/o Sh. Bhagchand, Aged About 53 Years, R/o Bai Ji Ki Kothi, Jhalana Dungri, Jaipur.
- 137 Devki Nandan Verma S/o Sh. Mangi Lal, Aged About 49 Years, R/o Raigaro Ka Bada Mohalla, Sanganer, Jaipur.
- 138 Ram Dev Khatik S/o Sh. Kajor Mal, Aged About 46 Years,



R/o 2, Mistri Nagar, Kartarpura, Mahesh Nagar, Ward No. 15, Jaipur.

- 139 Hanuman Sahay, S/o Sh., Aged About 56 Years, 3304, Ghatgate, Raigron Ki Kothi, Jaipur.
- 140 Umesh Jain, S/o Sh. Kapoor Chand, Aged About 55 Years, R/o 116/56, Agarwal Farm, Mansarovar, Jaipur
- 141 Rakesh Kumar, S/o Sh. Gopi Lal, Aged About 52 Years, R/o A-47, Shivpuri Airport Road, Cheelgadi Restaurant Ke Pass, Sanganer, Jaipur
- 142 Bhanwar Lal Sutrkar, S/o Sh. Sharwan Lal, Aged About 51 Years, R/o 84, Dr. Ambedkar Colony, Road, H.no. 1, Ashokpura, Sodala, Jaipur.

-----Respondents

Connected With

(2) S. B. Civil Writ Petition No. 3815/2011

Sawan Kumar Son Of Shri Ram Charan, aged 30 years, 144, Roop Nagar, Post Gandhi Nagar, Jaipur.

-----Petitioner

Versus

State Of Rajasthan Through Assistant Secretary To The Government, Personnel (Kha-2) Department, Government Secretariat, Jaipur

-----Respondent

(3) S.B. Civil Writ Petition No. 12905/2013

1. Behru Ram Gurjar S/o Shri Ramkaran Gurjar, aged about 25 years, resident of Village Jaloi, Post Rojada, Via Jhotwara, Tehsil Amer, District Jaipur (Rajasthan).
2. Ram Kunwar Gurjar son of Shri Rewadram Gurjar, aged about 24 years, resident of Village Kherwadi, Post Sevapura, Via Morija, District Jaipur (Rajasthan).
3. Kaluram Gurjar S/o Shri Rewadram Gurjar, aged about 28 years, resident of Village Kherwadi, Post Sevapura, Via Morija, District Jaipur (Rajasthan).
4. Sunit Saini S/o Shri Babulal Saini, aged about 23 years, resident of Morija Road, Behind Power House, Ward No. 29,



Chomu, District Jaipur (Rajasthan).

5. Mukesh Kumar Gurjar S/o Shri Rajulal Gurjar, aged about 21 years, resident of Village & Post Begas, Via Bagru, District Jaipur (Rajasthan).

6. Suman Saini D/o Shri Prakash Chand Saini, aged about 21 years, resident of Village Ghasipura, Dhani Railapuri Tan, Post Kanwat, Tehsil Srimadhapur, District Sikar (Rajasthan).

7. Ramraj Gurjar S/o. Shri Ramchandra Gurjar, aged about 25 years, resident of Khedulya, Post Galod, Tehsil Piplu, District Tonk (Rajasthan).

----Petitioner

Versus

- 1 State Of Rajasthan, Through Principal Secretary, Department Of Personnel, Government Secretariat, Jaipur.
- 2 The Assistant Principal Secretary, Department Of Personnel (Kha-2), Secretariat, Rajasthan, Jaipur.

----Respondents

(4) S.B. Civil Writ Petition No. 14822/2013

Ajay Singh S/o Shri Paramhans, aged about 29 years, resident of Gangapurcity, District Sawaimadhapur.

----Petitioner

Versus

1. State of Rajasthan through the Principal Secretary, D.O.P., Secretariat, Jaipur.
2. Dy. Secretary, D.O.P. (Kha-2), Secretariat, Jaipur.

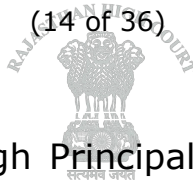
----Respondents

(5) S. B. Civil Writ Petition No. 15633/2013

Akbar Mehndi S/o Shri M.H. Khan, aged about 35 years, resident of 4720, Jagannath Shah Ka Rasta, Subhash Chowk, Jaipur.

----Petitioner

Versus



State Of Rajasthan Through Principal Secretary, Department Of
Personnel, Govt. Secretariat, Jaipur.

-----Respondents

(6) S. B. Civil Writ Petition No. 20060/2013

1. Ravi Sharma S/o Shri Ganesh Narayan Sharma, aged about 27 years, R/o Village Luniyawas, Post Sewapura, Amer, District Jaipur (Raj.)
2. Ramphool Gurjar S/o Shri Kishanram Gurjar, R/o Village Hanumanpura, Post Sevapura, Via Morija, District Jaipur (Raj.)
3. Ram Kumar Yadav S/o Shri Gangaram Yadav, R/o Dhani Navodi, VPO Rundal, Via Moriza, District Jaipur (Raj.).

-----Petitioners

Versus

- 1 State Of Rajasthan, Through Principal Secretary, Department Of Personnel, Secretariat, Rajasthan, Jaipur.
- 2 The Assistant Principal Secretary, Department Of Personnel (Kha-2), Secretariat, Rajasthan, Jaipur.

-----Respondents

(7) S. B. Civil Writ Petition No. 14884/2016

- 1 Ramnarayan S/o Shri Sukha, aged about 48 years, R/o Plot No. 10, Sunita Colony, Rampura Road, Sanganer, Jaipur, Rajasthan.
- 2 Sitaram Bairwa S/o Shri Bhura Lal Bairwa, aged about 41 years, R/o Village Hingonia, Tehsil Niwai, District Tonk, Rajasthan.

-----Petitioners

Versus

- 1 State of Rajasthan through Chief Secretary, Secretariat, Jaipur, Rajasthan.
- 2 Secretary, Department Of Personnel, Government Secretariat, Jaipur. Rajasthan.
- 3 Registrar, Government Secretariat, Jaipur Rajasthan.

-----Respondents

**(8) S. B. Civil Writ Petition No. 16420/2016**

- 1 Harbal Saini S/o Shri Johari Lal Saini, aged about 35 years, resident of Village And Post Golada, Tehsil Baswa, District Dausa, Rajasthan.
- 2 Pappu Ram Saini Son Of Shri Lichhman Prasad Saini, aged about 33 years, resident of 18-B, Govind Vihar Vistar, Gurjar Ki Thadi, Jaipur, Rajasthan
- 3 Balbir Saini Son Of Shri Bholaram Saini, aged about 32 years, resident of Rajpurabada, Tehsil Rajgarh, District Alwar, Rajasthan.

-----Petitioners

Versus

- 1 The State Of Rajasthan Through The Chief Secretary, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.).
- 2 The Principal Secretary, Department Of Personnel, Government Secretariat, Jaipur (Raj.)
- 3 The Assistant Secretary, Department Of Personnel Group-II, Government Of Rajasthan, Government Secretariat, Jaipur (Raj.).

-----Respondents

(9) S. B. Civil Writ Petition No. 3456/2018

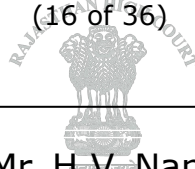
Pappu Lal Bairwa S/o Shri Mangal Ram, aged about 31 years, R/o Village Sameliya, Post Kisorpura, Tehsil Fagi, District Jaipur (Rajasthan).

-----Petitioner

Versus

- 1 The State Of Rajasthan Through its Principal Secretary, Department Of Personnel, Government Of Rajasthan, Secretariat, Jaipur.
- 2 The Joint Secretary, Department Of Personnel, Government Of Rajasthan, Secretariat, Jaipur.
- 3 The Assistant Secretary, Department Of Personnel Kha-2, Government Of Rajasthan, Secretariat, Jaipur.

-----Respondents



For Petitioners	:	Mr. H.V. Nandwana Advocate with Mr. Y.V. Nandwana Advocate, Mr. Savyasachi Puri Advocate and Ms. Yashvi Sharma Advocate. Mr. C.P. Sharma Advocate. Mr. Tanveer Ahamed Advocate with Mr. Iliyas Khan Advocate. Mr. Bharat Yadav Advocate with Mr. Akshay Yadav Advocate. Mr. K.N. Sharma Advocate with Mr. Vijay Choudhary Advocate. Mr. Pradeep Singh Advocate.
For Respondents	:	Mr. Vigyan Shah Additional Advocate General with Mr. Sankalp Singh Advocate and Ms. Monisha Agarwal Advocate.

HON'BLE MR. JUSTICE ANAND SHARMA

Judgment

16/03/2026

1. This batch of writ petitions has been filed by the petitioners invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, in the matters relating to recruitment on the post of Class-IV Employees initiated vide advertisement dated 31.12.2010. With the consent of parties, all the writ petitions were heard together and are being decided by this common judgment in following manner:

S. B. Civil Writ Petition No. 15084/2016:

2. In this writ petition, petitioners have laid a challenge to the provisional select list dated 14.10.2016 and the consequential appointment orders dated 27.01.2017 issued for recruitment to the posts of Class-IV Employees in the Government Secretariat, State of Rajasthan. The petitioners have also sought consequential directions for their appointment by grant of bonus marks and in the



alternative, they have prayed for regularisation of their services and other ancillary reliefs.

3. The facts, in brief, are that the petitioners were engaged between the years 2003 to 2008 as Class-IV Employees/Safai Karmcharis in the Secretariat through contractors on daily wage basis. It is their case that they have continuously worked for long durations and have been discharging duties identical to those performed by regularly appointed Class-IV Employees. Experience certificates dated 18.04.2013 were issued to them by the competent authorities showing their period of engagement.

4. The State Government issued an advertisement dated 15.01.2011 (revised subsequently) for recruitment to Class-IV Employees posts. The petitioners, being eligible, applied and appeared in the interview process. It is the grievance of the petitioners that despite having more than five years of experience, they were not granted bonus marks as per the Cabinet decision dated 19.02.2013/01.03.2013 and the directions flowing from earlier litigation culminating in the judgment of the Hon'ble Supreme Court dated 03.08.2016. Consequently, their names did not find place in the provisional select list dated 14.10.2016.

5. It is further pleaded that similarly situated persons were granted bonus marks for having experience of the similar nature qua the petitioners and by virtue of getting bonus marks, they were appointed on the post of Class-IV Employees, whereas the petitioners were denied such benefit on the ground that they were not parties to earlier litigation or that their service record was not available, which according to them is arbitrary and discriminatory.



The petitioners have also placed reliance on subsequent developments, including police investigation confirming the genuineness of their experience certificates and have asserted that they continue to work even as on date through contractors.

6. Replies to the writ petitions have been filing by the respondents to oppose the writ petitions, contending therein that the recruitment process was conducted strictly in accordance with the applicable rules and the directions of the Hon'ble Supreme Court on the basis of settlement between the employees union/ individuals and the respondent-Government. It is contended that bonus marks were awarded only to those candidates, who were parties to the earlier litigation and fulfilled the criteria laid down pursuant to the Cabinet decision, i.e., completion of requisite years of service as on the date of advertisement and availability of supporting official record.

7. It is further asserted in reply to the writ petition that the petitioners were not granted bonus marks as there was no verifiable official record available in the Secretariat regarding their continuous service and the experience certificates relied upon by them were not issued from official records. The respondents have denied any arbitrariness or discrimination and contended that the selection process has attained finality, appointments have already been made, therefore, no interference is warranted at this belated stage.

8. Mr. Harsh Vardhan Nandwana, learned counsel for the petitioners vehemently argued that the denial of bonus marks to the petitioners is wholly arbitrary, discriminatory and violative of Articles 14 and 16 of the Constitution of India. It was contended that the



petitioners are similarly situated to other daily wage employees who were granted bonus marks, appointed and merely because the petitioners were not parties to earlier litigation, they cannot be denied equal treatment.

9. It was further argued that the experience certificates issued to the petitioners have been found to be genuine in police investigation and, therefore, the stand of the respondents is untenable. Learned counsel also submitted that the petitioners have rendered long years of service and are entitled to regularisation in light of the law laid down by the Hon'ble Supreme Court.

10. Per contra, Mr. Vigyan Shah, learned Additional Advocate General appearing for the respondents submitted that the selection process was completed in compliance with the directions of the Hon'ble Supreme Court and in accordance with the criteria uniformly applied to all candidates. It was argued that bonus marks could be granted only upon verification of official records, which were not available in the case of the petitioners. It was further contended that the petitioners participated in the selection process without protest and they are now estopped from challenging the same after declaration of result and issuance of appointments. It was also urged that interference at this stage would unsettle the entire selection.

11. This Court has considered the rival submissions and perused the material available on record.

12. The petitioners have placed heavy reliance on the judgments earlier delivered by this court as well as Hon'ble Supreme Court and on the Cabinet decision taken by the



respondents to grant weightage of the work experience to the similarly situated persons. This Court carefully examined the earlier judgments and found that one Vinod Kumar and so many other individuals filed D.B. Civil writ petitions no. 9836/2002, 2655/2001, 5188/1999 and 717/2000, whereas Sachivalaya Dainik Vetanbhogi Karamchari Union, Jaipur also filed D.B. Civil Writ petition no. 4261/1999 before the Division Bench of this court. Admittedly, petitioners were not parties to the aforesaid writ petitions, nor have they pleaded that they were members of aforesaid Employees Union. During the pendency of aforesaid writ petition, a settlement took place between the petitioners in the above referred writ petitions and the State Government. In view of the settlement following order dated 28.01.2003 was passed by the Division Bench:

"Learned counsel for the parties submit that the parties have settled the matter and the terms of settlement have been reduced in to writing. The learned counsel for the parties have presented the same before us for being kept on record and for passing appropriate directions.

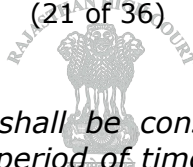
Having regard to the terms of settlement, we direct as follows:-

(1). As per condition No. 4 of the conditions of Tender, it would be incumbent upon the contractor (New Contractor) to continue with the services of the existing employees (petitioners) upon the award of the contract to him subject to their identity being verified and subject also to verification of their suitability.

(2). In the event of the Government making regular selections for the vacant posts of Farrash/Sweeper/Class IV/Helper etc. the petitioners shall be given weightage as well as relaxation in eligibility condition keeping in view their long duration of past services subject to their satisfactory performance.

(3). Subject to the giving of weightage and relaxation in the eligibility condition, the petitioners will have to compete with others. In case, the Government intends to make regular selections on the vacant posts of Farrash/Sweeper/Class IV/Helper etc. and

(4). In case, the petitioners make applications or file representation before the Government, requesting it to grant benefit of Circular No. F.1(s) FD/Rules/2002 dated 13.01.2003



to them the same shall be considered by the Government within a reasonable period of time. Any decision taken by the Government on the applications or representations of the petitioners shall be binding on the contractor(s).

Both the parties have agreed to the passing of the aforesaid directions.

Keeping in view the directions issued by us and the settlement arrived at between the parties, the petitioners wish to withdraw the writ petitions.

Accordingly, the writ petitions are allowed to be withdrawn. The withdrawal of these writ petitions however, will not affect the directions contained in the order and the department will be free to call for fresh tenders.

The writ petitions stand disposed of."

13. Pursuant to aforesaid order dated 28.01.2003, following Cabinet decision dated 19.02.2013/01.03.2013 was taken by the respondent-Government:

**"राजस्थान सरकार
कार्मिक (ख-2) विभाग**

क्रमांक: प.1(2)कार्मिक/ख- / 2009

जयपुर, दिनांक: 19.02.2013
01.03.2013

मंत्रीमण्डल ज्ञापन

विषय :- शासन सचिवालय में चतुर्थ श्रेणी कर्मचारी का कार्य कर रहे ठेका श्रमिकों को नियुक्ति की पात्रता शर्तों में शिथिलन के संबंध में।

.....

1. शासन सचिवालय में 289 चतुर्थ श्रेणी कर्मचारियों के रिक्त पदों पर भर्ती हेतु दिनांक 15.01.2011 को विज्ञापन जारी किया गया। इन पदों को साक्षात्कार के माध्यम से भरे जाने का निर्णय मुख्य सचिव महोदय के स्तर से दिनांक 23.11.2012 को लिया गया।

2. शासन सचिवालय में माननीय उच्च न्यायालय में दायर रिट याचिका सं. डीबी सिविल रिट पीटिशन नं 5188/1999, 4261/1999, 717/2000, 3235/2004, 2655/2001 (केयर टेकर), 6938/2002 एवं 9836/2002 में पारित आदेश दिनांक 28.01.2003 की पालना में पहले से 200 ठेकाश्रमिक कार्यरत है। इन ठेकों श्रमिकों में से निर्धारित आयुसीमा से अधिक आयु के ठेकाश्रमिकों को आयुसीमा में छूट दिये जाने के पश्चात ही नियुक्ति दिया जाना संभव है। माननीय न्यायालय का निर्णय दिनांक 28.01.2003, 04.09.03 एवं 16.11.06 परिशिष्ट "क" "ख" "ग" संलग्न है।

3. उक्त पूर्व से कार्यरत ठेका श्रमिकों को माननीय उच्च न्यायालय के उक्त निर्णयानुसार हटाया जाना संभव नहीं है तथा उक्त नियुक्ति में आयुसीमा में छूट एवं अनुभव के आधार पर वेटेज दिया जाना है। वर्तमान में संबंधित विद्यमान नियमों में अनुसूचित जाति/अनुसूचित जनजाति/ अन्य पिछड़ी जाति एवं महिलाओं को आयुसीमा में 5 एवं 10 वर्ष की छूट देने का प्रावधान है। इससे अधिक आयु सीमा में छूट का वर्तमान नियमों में

प्रावधान नहीं है। अतः इन ठेका कर्मियों को आयु सीमा में शिथिलन की निम्नानुसार आवश्यकता है:—

दिनांक 01.01.2011 को निर्धारित आयु से अधिक का वर्ग	श्रमिकों की संख्या
2 वर्ष तक	14
2 वर्ष से अधिक व 4 वर्ष तक	18
4 वर्ष से अधिक व 6 वर्ष तक	06
6 वर्ष से अधिक व 8 वर्ष तक	13
8 वर्ष से अधिक व 10 वर्ष तक	13
10 वर्ष से अधिक व 20 वर्ष तक	12
कुल	76

अतः उक्त ठेकाश्रमिकों का नियुक्ति हेतु आयुसीमा की पात्रता में दिनांक 01.01.11 को 02 वर्ष से अधिक व अधिकतम 20 वर्ष की छूट दिया जाना प्रस्तावित है।

4. चतुर्थ श्रेणी कर्मचारियों के रिक्त पदों पर भर्ती हेतु साक्षात्कार के कुल 50 अंक होंगे। इनमें से उक्त पूर्व से कार्यरत ठेकाश्रमिकों को उनकी लम्बी अवधि के अनुभव को देखते हुए जिन ठेका श्रमिकों ने 5 वर्ष तक शासन सचिवालय में कार्य किया है उनको 5 बोनस अंक एवं जिन ठेका श्रमिकों ने 5 वर्ष से अधिक कार्य किया है उनको 10 बोनस अंक दिया जाना प्रस्तावित है।

5. उक्त प्रकरण पर माननीय मुख्य सचिव महोदय एवं माननीय मुख्यमंत्री महोदय का अनुमोदन प्राप्त कर लिया गया है परिशिष्ट “घ”। आज्ञापक अनुसूची परिशिष्ट “ड” पर उपलब्ध है।

अतः शासन सचिवालय में चतुर्थ श्रेणी कर्मचारी का कार्य कर रहे ठेकाश्रमिकों को नियुक्ति की आयुसीमा की पात्रता शर्त में शिथिलन एवं नियुक्ति हेतु साक्षात्कार में बोनस अंक दिये जाने की स्वीकृति के संबंध में प्रस्ताव मंत्रीमण्डल के समक्ष जरिये सरक्यूलेशन विचारार्थ/अनुमोदनार्थ प्रस्तुत है।

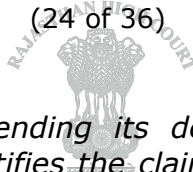
Sd/-
प्रमुख शासन सचिव
कार्मिक विभाग"

14. However, in the meanwhile, when the State Government took actions contrary to the aforesaid order dated 28.01.2003 passed by the Division Bench, Sachivalaya Dainik Vetanbhogi Karamchari Union and other individuals, who were parties to the earlier litigation, filed S.B. Civil Writ petitions no. 3235/2004, 8722/2005 and 4728/2006. During the pendency of the above writ petitions, the respondents also advertised 289 vacancies of the



Class IV Employees vide advertisement dated 15.01.2011 for regular appointment. It was submitted that in compliance of earlier order dated 28.01.2003, the respondents were under an obligation to given weightage to the petitioners in the said cases by way of grant of 5 bonus marks in proportion to the services rendered by the respective petitioners and even the proposal in this regard was approved by the State Cabinet, hence, in view of above, S. B. Civil Writ petitions No. 3235/2004, 8722/2005 and 4728/2006 were decided by the Co-ordinate Bench of this Court vide order dated 21.07.2014, with following observations and directions:

"It is indeed pity that the petitioners, who have been working with the respondent-State through contractors, are waiting of regular appointments since 1998 and in this hope, they have completed more than fifteen years of service with the respondents on contract basis through contractors on payment of a very meagre amount, which at present is Rs. 166/- per day. The petitioners, were earlier being paid through the contractors and from 2006 onwards, under the order of the Government, they are being paid through the Government. Presently, they are being paid on daily wages rate payable to a skilled labour, which is Rs. 166/- per day. Even this amount is not paid whenever it is a non working day/holiday. All the petitioners are in their late 30s and some in early forties. They have responsibility of maintaining large families. The decision of the Government to grant them benefit of bonus marks has its roots in the decision of this Court dated 28.01.2003 passed in the earlier writ petition filed by the petitioners wherein as per Clause (2) and (3) of the settlement arrived at the between the petitioners and the Government, it was agreed that in the event of the Government making regular selection for the vacant posts of Farrash/Sweeper/Class IV/Helper etc. the petitioners shall be given weightage as well as relaxation in the eligibility condition keeping in view their long duration of past services subject to their satisfactory performance. And for this purpose, the petitioners will have to compete with others. It was with a view to giving effect to aforesaid decision/settlement that the respondents devised method of giving bonus marks. They decided to give five bonus marks to such of the contractual class IV employees who have completed five years of service and ten bonus marks to those who have completed more than five years of service. Even those four petitioners, namely Chhotelal, Harbal, Babu Lal and Balveer Singh, who have completed eight years of services, would yet be entitled to same bonus marks at par with others, who have not been discontinued, i.e. ten bonus marks. On particularly query made by the Court, Mr. Kailash Chandra Kumawat, Officer-in-charge has informed that the challenge to the Division Bench decision of this Court has been made by the Government and not by the private litigants, which would mean that the Government has approached the Hon'ble



Supreme Court defending its decision to award 30 bonus marks. This only fortifies the claim of the petitioners because the bonus marks which are being granted to them were because of the solemn understanding of the Government given to this Court in the settlement arrived at between the petitioners and the Government. The Government possibly now cannot go back upon their stand and is under obligation to give effect to aforesaid settlement. In fact, the case of the petitioners has to be taken on different footings and not to be linked with other matter, which is subject matter of challenge before the Hon'ble Supreme Court. Grant of bonus marks to the petitioners has got independent approval from the State Cabinet. The Government ought to, therefore, go ahead with the finalization of the process of selection by declaring the result.

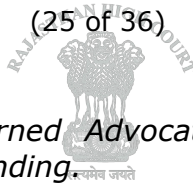
In view of above, present writ petitions succeed and are allowed. The respondents are directed to declare the result by awarding bonus marks to the petitioners as per their decision and pass appropriate orders of appointment of selected candidates within a period of two months from the date copy of this order is produced before them."

15. Judgment dated 21.07.2014 was further challenged by the State of Rajasthan by of filing as many as three intra court appeals led by D.B. Civil Special Appeal (Writ) No. 1545/2014. The aforesaid appeals were decided by the Division Bench of this court vide judgment dated 27.11.2014, in following manner:

"12. We are of the view that the question of award of bonus marks was entirely beyond the powers of adjudication of learned Single Judge, inasmuch as, neither the selections were challenged, nor any prayer was made to award bonus marks to the petitioners. No such facts or prayer could be foreseen, when the writ petition was filed, nor the writ petitions were amended, bringing these facts on record.

13. The settlement dated 28.1.2003, was arrived at prior to the filing of the writ petition. The entire object to file the writ petition was to restrain the service providers to recommend fresh names, or the names, excluding the petitioners. They had claimed weightage to be given in pursuance to the settlement dated 28.1.2003 in regular selections. The extent of weightage, which may be given by the State Government, was not provided in the settlement, nor the parties joined issue on the point.

14. We do not propose to adjudicate over the percentage of bonus marks. The State Government, may consider to give, or may not give any weightage to the petitioners in the selections or may adopt a principle that, all things being equal, the person with experience may be preferred for employment. No such matter could have been adjudicated by learned Single Judge. We are also restraining ourselves from expressing any opinion as to whether the award of bonus marks, after the judgment in Secretary, State of Karnataka Vs. Uma Devi (supra), will be valid. In Supreme Court, an application has been filed by the State of Rajasthan to withdraw the Special



Leave Petition. Learned Advocate General states that the application is still pending.

15. Be that as it may, the question of weightage in regular selections in accordance with law, may also depend upon statutory Rules. We may also observe here, that the settlement could not be enforced, in view of the conclusive judgment of the Hon'ble Supreme Court in Secretary, State of Karnataka Vs. Uma Devi (supra).

16. In view of the above discussion, the directions issued by learned Single Judge cannot be sustained.

17. The Special Appeals are allowed. The judgment of learned Single Judge is set aside."

16. The aforesaid judgment dated 27.11.2014 was further put to challenge by the above Employees Union and other aggrieved persons by way of filing Special Leaves Petitions before the Hon'ble Supreme Court. After granting leave, the Hon'ble Supreme Court decided Civil Appeals No. 7260/2016 and other two appeals vide judgment dated 03.08.2016, with following findings and directions:

"The first respondent, who was a party to the settlement recorded by the High Court in its order dated 28.01.2023 could not be permitted to raise the question of the enforceability of the settlement, more particularly, when all that the appellant seek is only weightage for the past service of its members which the first respondent agreed, in principle, to give to similarly situated persons working with other departments. The members of the appellant Union have been working with the first respondent for long periods (period varying from person to person). Whether such employment was regular or irregular in law, is a different matter. The fact remains that, their services were used by the first Respondent.

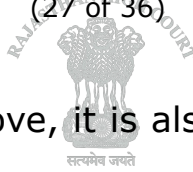
In the circumstances, we are of the opinion that the judgment under appeal cannot be sustained and the same is set aside. The first respondent is directed to conclude the recruitment process initiated and announce the results forthwith preferably within a period of eight weeks from today. We also make it clear that in terms of the settlement recorded by the High Court in its order dated 28.1.2003, the members of the appellant Union are also entitled for some weightage for the past service rendered by them. The quantum or measure of such weightage may be decided by the State in accordance with a rational policy.

The appeal is allowed with costs quantified at Rs.2.5 lakhs."

17. At the outset, it is to be noted that the admitted position is that the petitioners in the presents cases have never been parties



to the above referred earlier litigation, nor were they members of the Employees Union. It would be relevant to observe that the genesis of all the above orders/ judgments passed by this Court, Division Bench and the Hon'ble Supreme Court is the settlement, which took place between the State Government and Employee Union/ individuals who were parties to D.B. Civil writ Petitions No. 9836/2002, 2655/2001, 5188/1999, 717/2000 and 4261/1999. Cabinet decision has also been taken pursuant to such settlement. Subsequent litigations are species of the above referred settlement and Cabinet decision. Thus, it cannot be said that at any point of time, any judgment *in rem* was delivered either by this Court or by the Hon'ble Supreme Court, rather all the judgments/ orders passed by the Courts and the consequential Cabinet decisions are mere acknowledgment and implementation of the settlement. Since at no point of time, rights of respective parties were ever tested or adjudicated on the basis of any statutory rules in force, and earlier judgments are rather based upon acceptance, recognition and acknowledgment of settlement. All the courts have confined their judgments to the petitioners in the said litigations and have not given any general directions for benefit of others. Hence, under these circumstances, the petitioners who were neither parties to such settlement or in the earlier litigations, cannot claim any parity in the matter qua the beneficiaries of the settlement, who were the active parties in the above exercise. Therefore, the petitioners have got no right to claim any bonus marks for the alleged experience of work, due to not falling in the same class qua the others who were parties to the earlier litigations and settlement.



18. In addition to above, it is also significant to mention that even otherwise in compliance of the above judgment of the Hon'ble Supreme Court, the selection process has been completed and appointments have already been made and the appointed persons have been working for several years. Even assuming that there was some grievance with regard to non-grant of bonus marks to the petitioners, this Court is not inclined to unsettle a concluded selection process after such a long lapse of time. Interference at this stage would not only prejudice the rights of third-party appointees, but would also disrupt administrative stability. It is a settled principle of law that Courts ought to be slow in interfering with completed selections, particularly when the selected candidates are not shown to have been guilty of any fraud or illegality.

19. Further, the petitioners admittedly participated in the selection process with full knowledge of the criteria and cannot be permitted to turn around and challenge the same after being unsuccessful. The doctrine of acquiescence and estoppel would operate against them in such circumstances.

20. In view of the aforesaid, the prayers seeking quashing of the select list dated 14.10.2016 and consequential appointment orders dated 27.01.2017, as well as relief of grant of appointment to the petitioners, cannot be accepted and are liable to be rejected.

21. However, the matter does not end here. It is an admitted position on record that the petitioners have been working for a considerable length of time, in some cases exceeding 15 to 20 years, albeit through contractors and are continuing even as on date. The material placed on record, including wage registers and



other documents, prima facie indicates long and continuous engagement of the petitioners.

22. The issue of regularisation of long-serving daily wage/contractual employees has been considered by the Hon'ble Supreme Court in catena of judgments. Reference of some of such judgments has been given by this Court in its earlier judgment dated 19.01.2026 rendered in **Jawahar Navodaya Vidyalaya vs Dhanraj Choudhary & Another (S. B. Civil Writ Petition No. 2417/2003 & other connected petitions)**, in the following manner:

"31. The jurisprudence on regularization has evolved through a series of authoritative pronouncements of the Hon'ble Supreme Court. In **Secretary, State of Karnataka (supra)**, the Constitution Bench held that regularization is not a mode of recruitment and illegal appointments made in contravention of Articles 14 and 16 cannot be regularized as a matter of right. The primary concern of the Apex Court was to prevent backdoor entry into public service. At the same time, the Court carved out a significant exception permitting one-time regularization of employees who had rendered ten years or more of continuous service against sanctioned posts, possessed requisite qualifications, and whose appointments were not illegal but merely irregular.

32. The contours of this exception were clarified in **State of Karnataka & Ors. Vs. M.L. Kesari & Ors.** reported in **(2010) 9 SCC 247**, wherein the Hon'ble Supreme Court held that the exception carved out in **Umadevi (supra)** must be applied in a purposive and pragmatic manner. The Court emphasized that the benefit of regularization cannot be denied on hyper-technical grounds or due to the failure of the State to undertake the one-time exercise contemplated in **Umadevi (supra)**. Administrative delay or inaction, it was held, cannot operate to the prejudice of long-serving employees.

33. In **State of Punjab & Ors. Vs. Jagjit Singh & Ors.** reported in **(2017) 1 SCC 148**, although the issue directly pertained to pay parity, the Hon'ble Supreme Court reinforced the doctrine of dignity of labour and held that extraction of identical work from temporary or daily-wage employees while denying them equal remuneration amounts to exploitation and violates Article 14. This judgment infused substantive equality into service jurisprudence and laid the groundwork for later decisions addressing prolonged ad-hocism.

34. The recent decisions of the Hon'ble Supreme Court further develop this jurisprudence. In **Jaggo Vs. Union of India & Ors.** reported in **2024 SCC OnLine SC 3826**, the Court held that mere nomenclature such as "temporary" or "contractual" cannot defeat substantive rights where the



employee performs duties that are perennial and essential to the functioning of the establishment. The Court categorically held that **Umadevi (supra)** cannot be invoked as a shield to perpetuate exploitative arrangements and that prolonged continuation itself creates an obligation on the employer to rationalize or regularize the engagement.

35. In **Dharam Singh & Ors. Vs. State of U.P. & Anr.** reported in **2025 SCC OnLine SC 1735**, the Apex Court held that the State, as a constitutional and model employer, cannot extract regular work from ad hoc or daily-wage employees without sanctioning posts or initiating regular recruitment. Prolonged ad-hocism was held to be violative of Articles 14, 16 and 21, and executive inaction in creating posts or undertaking recruitment was held to be subject to judicial review.

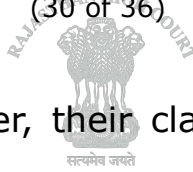
36. Similarly, in **Shripal & Anr. Vs. Nagar Nigam, Ghaziabad** reported in **2025 SCC OnLine SC 221**, the Hon'ble Supreme Court held that employees performing essential civic duties on a continuous basis cannot be left in a state of perpetual insecurity. The Court directed reinstatement and mandated initiation of a fair, transparent and time-bound process for regularization, reiterating that perennial public duties cannot be discharged through endless temporary arrangements.

37. A conjoint reading of the aforesaid judgments demonstrates that while **Umadevi (supra)** continues to prohibit regularization of illegal appointments, it does not authorize the State to perpetuate ad-hocism, avoid creation of posts, or exploit labour under the guise of constitutional compliance. The focus has decisively shifted from the form of appointment to the substance of employment, namely the nature of duties, length of service, existence of sanctioned work, and the conduct of the employer.

38. Applying the aforesaid principles to the facts of the present case, this Court finds that the workmen have rendered long and uninterrupted service, possesses the requisite qualifications, and have performed duties of a perennial and essential nature under the direct control of the employer. The employer has failed to demonstrate that the workmen' engagement was illegal or tainted by fraud. The continued engagement of the workmen without initiating regular recruitment or considering regularization reflects administrative arbitrariness and is contrary to the constitutional obligation of the State to act as a model employer.

39. The refusal to regularize the workmen, viewed in the light of the law laid down by the Hon'ble Supreme Court in the cases of **Jaggo (supra)**, **Dharam Singh (supra)** and **Shripal (supra)**, cannot be sustained. To permit the employer to continue such an arrangement would amount to endorsing exploitation and would defeat the constitutional guarantee of fairness, equality and dignity of labour."

23. In light of the aforesaid authoritative pronouncements, this Court is of the considered view that while the petitioners cannot be granted the primary relief of appointment by disturbing the



concluded selection, however, their claim for regularisation cannot be brushed aside.

24. Accordingly, writ petition is partly allowed in the following terms:

(i) The prayers of the petitioners seeking quashing of the provisional select list dated 14.10.2016 and consequential appointment orders dated 27.01.2017, as well as for grant of appointment pursuant thereto, are hereby rejected.

(ii) The respondents are directed to consider the cases of the petitioners for regularisation/appropriate absorption, strictly in accordance with law, keeping in view the principles laid down by the Hon'ble Supreme Court in the cases of **Jaggo Vs. Union of India & Ors., 2024 SCC OnLine SC 3826**, **Shripal & Anr. Vs. Nagar Nigam, Ghaziabad, 2025 SCC OnLine SC 221** and **Dharam Singh & Ors. Vs. State of U.P. & Anr., 2025 SCC OnLine SC 1735** as well as other applicable precedents.

(iii) The aforesaid exercise shall be undertaken by the respondents within a period of four months from the date of receipt of a certified copy of this order.

(iv) It is made clear that this Court has not expressed any opinion on the merits of individual claims and the respondents shall take an appropriate decision in accordance with law.

S.B. Civil Writ Petition No. 3815/2011:

25. Petitioner, who is member of Scheduled Caste category, has challenged advertisement dated 31.12.2010, on the ground that although it is mandatory to give reservation to the members of SC category, however, in advertisement dated 31.12.2010, not a single



vacancy of SC category was advertised, which is in violation of reservation policy. Hence, the petitioner has prayed for quashing the advertisement along with entire selection process initiated pursuant thereto.

26. Reply to the writ petition has been filed by the respondents and in para 4 of the reply, the respondents have given entire details with regard to total cadre strength of Class IV employees in Government Secretariat alongwith number of posts reserved for SC categories. By giving the details of fitment, a categorical statement has been given in the reply that since SC category was sufficiently being represented and there was no vacancy meant for SC category, therefore, there was no requirement to advertise any vacancy for the reserved category in the advertisement.

27. No rejoinder to the reply was filed to controvert the above factual statement.

28. Hence, in the light of categorical reply, this Court is satisfied that there was no violation of reservation policy in the impugned recruitment process. Therefore, the writ petition filed by the petitioner is devoid of any merit and substance and the same is hereby dismissed.

S. B. Civil Writ Petition Nos. 12905/2013, 20060/2013 & 14822/2013:

29. In the above writ petitions, the petitioners have challenged the whole selection process conducted pursuant to advertisements dated 31.12.2010 and 29.01.2011 and sought a



direction to again conduct interviews pursuant to aforesaid advertisement by adopting a transparent process.

30. During arguments, Mr. C.P. Sharma, learned counsel for the petitioners emphasised that the entire process pursuant to impugned advertisements was opaque, as no criteria was laid down for conducting interviews. Learned counsel submitted that as many as 1,46,156 candidates appeared for interviews against the advertised vacancies, however, the entire process was conducted within a few days, which was practically impossible. In fact, the interview was simply an eye wash. No question with regard to qualification of the respective candidate, nature of work & duties as well as his capability to carry out the work was asked. Even the respective candidates were not informed about the marks obtained by them.

31. It was also argued on behalf of the petitioners that although the rules governing the recruitment process do not prescribe for granting any weightage to any of the candidate, yet bonus marks were granted to some of the candidates on the basis of their experience of working on contract basis, which allowed such beneficiaries to steal a march over the other open market candidates. Hence, having conducted the entire process against the statutory rules, serious illegalities have been committed by the respondents and the entire process deserves to be quashed.

32. The allegation levelled in the above writ petitions have been emphatically denied by the respondents in the writ petition. Mr. Vigyan Shah, learned Additional Advocate General submitted that the entire process was conducted in a transparent manner.



Each and every candidate was granted reasonable time during interviews. Duration of the interview depends upon the nature of the work and skill attached to the post. The process in question was carried out for Class IV Employees, hence, looking to the required qualification and required level of IQ of the candidates appearing in the interview, questions correlating to the above factors were asked from the candidates by the Interview Committee.

33. As regards the allegation of granting weightage to the work experience to some of the candidates, it was submitted by learned Additional Advocate General that weightage in the form of bonus marks has been given pursuant to earlier settlement between employees union/ individuals with the respondent-Government, which has duly been recognised by the Hon'ble Supreme Court, hence, there is no illegality in the entire process.

34. Having heard learned counsel for the parties, this Court after perusing the record, finds merit in the submission of learned Additional Advocate General that interviews for the higher posts cannot be compared with the interviews of the post of Class-IV Employee, which is lowest in the ladder. There cannot be standard formula for questions to be asked during interviews and for fixing minimum duration of time for conducting interviews. Such factor is bound to be left to the discretion and expertise of the Interview Committee. Hence, the allegations levelled by the petitioners are baseless and unfounded, and are liable to be rejected at the outset.

35. So far as the necessity of awarding bonus marks and to whom such weightage was to be given, detail analysis has already been made by this Court in this very judgment while deciding S.B.



Civil Writ Petition No. 15084/2016, which is equally applicable in the instant case also. Since bonus marks have been awarded pursuant to settlement, Cabinet decision and judgments of this Court as well as of the Hon'ble Supreme Court, hence, no illegality can be found in the impugned process on this basis.

36. Consequently, all the above writ petitions filed by the petitioners are devoid of any merit and substance and the same are hereby dismissed.

S. B. Civil Writ Petition No. 15633/2013:

37. Petitioner in the above writ petition has come out with a case that despite the fact that the petitioner submitted application form pursuant to advertisement issued by the respondents for appointment on the posts of Class IV Employee and he fulfilled all the conditions of eligibility, he was not called for interview, which deprived him of his legitimate rights of appointment.

38. Such allegations have been emphatically denied by the respondents at the threshold in the reply to the writ petition by submitting that the petitioner was called for interview and even interview call letter has also been placed on record as Annexure-R/1 along with reply.

39. No rejoinder to the reply was filed to rebut the above factual statement.

40. Hence, in the light of specific reply, it is evident that the writ petition has been filed with incorrect facts, which are against the record. Consequently, the writ petition filed by the petitioner is hereby dismissed.

**S. B. Civil Writ Petition No. 14884/2016, 3456/2018:**

41. By way of filing the above writ petitions, the petitioners have asserted that although they were working on contractual basis alike other persons and were entitled for bonus marks as granted to others, yet the petitioners have been deprived of such weightage, which has caused hostile discrimination with the petitioners and has curtailed their right to be appointed on the post of Class IV Employee, hence, they have prayed for including their names also in the order of appointed candidates dated 14.10.2016.

42. As question of awarding bonus marks and to whom such weightage was to be given, detail discussion has already been done by this Court earlier in this very judgment while deciding S. B. Civil Writ Petition No. 15084/2016, which is equally applicable in the instant case also. Since bonus marks have been awarded pursuant to settlement, Cabinet decision and judgments of this Court as well as of the Hon'ble Supreme Court and admitted position is that the petitioners in the presents cases have never been parties to the above referred earlier litigations, nor were they members of the Employees Union, hence, no illegality can be found in the impugned process on this basis.

43. Accordingly, writ petitions filed by the petitioners are dismissed.

S. B. Civil Writ Petition No. 16420/2016:

44. In this writ petition, the petitioners have come out with a case they were working on contractual basis alike other persons and admitted position is that the petitioners in the presents cases were also parties to the above referred earlier litigation and were



entitled for bonus marks as granted to others, yet the petitioners have been deprived of such weightage, which has caused hostile discrimination with the petitioners and has curtailed their right to be appointed on the post of Class IV Employee. Hence, they have prayed for a direction to appoint them also on the said post with consequential benefits.

45. Reply to the writ petition was filed on behalf of the respondents contending therein that merely working in the earlier years was not sufficient and on the date of consideration, since the petitioners were not continuing on the contractual post, therefore, they have not been awarded any bonus marks.

46. This Court finds that the aforesaid criteria for awarding bonus marks only to the candidates, who were actually working on the relevant date of consideration cannot be said to be either arbitrary or irrational, the denial of bonus marks to the petitioners is totally justified. Hence, no illegality can be found in the impugned process on this basis.

47. Accordingly, the writ petition filed by the petitioners is dismissed.

48. Interim applications, if any pending in any of the writ petitions, stand disposed of.

49. Office is directed to place a copy of this judgment on record of each connected writ petition.

(ANAND SHARMA),J