

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 7734/2026

Prakash Chandra Bairwa S/o Ramesh Chandra Bairwa, Aged About 39 Years, R/o Malagwas Post Khurikala Tehsil And Distt. Dausa.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Medical And Health Department, Government Of Rajasthan, Jaipur.
2. The Director (Public Health), Medical And Health Services Rajasthan Jaipur.
3. Chief Medical Officer, Government Distt. Hospital Dausa.
4. Pramukh Chikitsa Adhikari Evam Paden Sachiv, Rajasthan Medicare Relief Society, Government Distt. Hospital Dausa (Raj.).
5. Green Line Systems Pvt. Ltd., Near Ray Nursing Home Agra Road Jaipur Through Its Authorized Person.

-----Respondents

For Petitioner(s) : Mr. Ram Rakh Sharma, Adv.

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

08/05/2026

Learned counsel for the petitioner submits that the petitioner was working on the post of Assistant Radiographer in the respondents-Hospital on contract basis through placement agency. He submits that now an order has been passed by the respondent No.4 by which, contract of the placement agency, i.e. respondent No.5, through which the petitioner was engaged as Assistant Radiographer in respondents-Hospital, has been terminated with the direction to remove all the man power supplied by it. Counsel

submits that in the garb of terminating the contract of respondent No.5, the services of the petitioner have also been terminated. Counsel submits that now a fresh order has been issued by respondent No.4 on 23.03.2026 by which five other placement agencies have been directed to ensure the availability of manpower for discharge of smooth functioning of the hospital. He further submits that it is a settled law that contractual employees cannot be replaced by another set of contractual employees.

Matter requires consideration.

Issue notice to the respondents through both the process, returnable on the next date of hearing.

Requisites be filed within a period of two weeks, failing which this petition shall stand dismissed automatically without further reference to the Bench.

If needful is done within given time, list this matter after eight weeks.

Meanwhile, respondents are directed not to replace the petitioner by another contractual employee.

(ANIL KUMAR UPMAN),J