

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 9243/2019

Gyan Chand Gupta S/o Sh. Pyare Lal Gupta, Aged About 58 Years, R/o Bhagwati Colony, Bayana, Bharatpur, Rajasthan.

----Petitioner

Versus

- 1 The Dausa Central Cooperative Bank Ltd., Dausa, Through Its Managing Director.
- 2 The Registrar, Cooperative Societies, Govt. Of Rajasthan, Jaipur.

----Respondents

Connected With

S.B. Civil Writ Petition No. 9244/2019

Satish Chand Sharma S/o Sh. Badri Prasad Sharma, Aged About 59 Years, R/o Gangavihar Colony, Behind Rawat Palace, Somnath Nagar, Dausa, Rajasthan.

----Petitioner

Versus

- 1 The Dausa Central Cooperative Bank Ltd., Dausa, Through Its Managing Director.
- 2 The Registrar, Cooperative Societies, Govt. Of Rajasthan, Jaipur.

----Respondents

S.B. Civil Writ Petition No. 9395/2019

Malkhan Singh S/o Kalicharan, R/o Village Mangrol Jaat, Post Achhnera, Dist. Agar (U.p.)

----Petitioner

Versus

- 1 The Dausa Central Cooperative Bank Ltd, Dausa Through Its Managing Director
- 2 The Registrar, Cooperative Societies, Govt. Of Rajasthan, Jaipur.

----Respondents

S.B. Civil Writ Petition No. 9396/2019

Ghanshyam Gupta S/o Sh. Govind Narayan Gupta, Aged About

60 Years, R/o Moti Vihar, Agra Road, Opp. Balti Factory, Jaipur (Raj.)

----Petitioner

Versus

- 1 The Dausa Central Cooperative Bank Ltd, Dausa Through Its Managing Director
- 2 The Registrar, Cooperative Societies, Govt. Of Rajasthan, Jaipur.

----Respondents

S.B. Civil Writ Petition No. 9397/2019

Hemraj Avana S/o Sh. Moolchand Avana, Aged About 60 Years, R/o Village Neemli, Post Kolva, Via Kundal, Tehsil Dausa, District Dausa (Raj.)

----Petitioner

Versus

- 1 The Dausa Central Cooperative Bank Ltd, Dausa Through Its Managing Director
- 2 The Registrar, Cooperative Societies, Govt. Of Rajasthan, Jaipur.

----Respondents

S.B. Civil Writ Petition No. 9398/2019

Lakshmi Narayan Sharma S/o Sh. Ramdhan Sharma, Aged About 59 Years, R/o VP Nangal, Bairsi, Dausa, Rajasthan

----Petitioner

Versus

- 1 The Dausa Central Cooperative Bank Ltd, Dausa Through Its Managing Director
- 2 The Registrar, Cooperative Societies, Govt. Of Rajasthan, Jaipur.

----Respondents

For Petitioner(s)	:	Mr. Sunil Kumar Bansal for Mr. Abhisar Bhanu
For Respondent(s)	:	Mr. Raj Kumar Sharma with Mr. Prakash Asrani

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN**Order****18/02/2026**

1. These writ petitions were filed with a common prayer, hence, they are taken-up together and for ready reference we are referring prayer of lead matter Gyan Chand Gupta as under:-

It is therefore, humbly prayed, that this Hon'ble Court may kindly be pleased to allow the writ petition and:-

(i) By an appropriate writ, order or direction, the Order dated 19-01-2018 (Annexure-11) be quashed and set-aside and the respondents be given direction to fix the pay of the petitioner as per Rule 26-A of Rajasthan Service Rules. The petitioner should be fixed in higher pay scale than the petitioner was drawing as the PACS manager. The petitioner should be given arrears so accruing to the petitioner in the form of salary from the day of promotion to the post of Loan Supervisor from PACS manager till the date of his retirement.

(ii) Any other appropriate order or direction, which this Hon'ble Court considers just and proper in the facts and circumstances of this case, may kindly be passed in favour of the petitioner;

(iii) Costs of the writ petition may kindly be awarded to the petitioner.

2. Learned counsel for petitioner while placing reliance upon judgment dated 17.10.2016 in **S.B. Civil Writ Petition No. 6996/2014** titled as **Amar Singh Vs. The Jalore Central Co-operative Bank Ltd. Through Managing Director and Anr.)** passed by a Co-ordinate Bench at Principal Seat, Jodhpur submits that the controversy raised herein is no more res integra and same has already been decided, so these writ petitions be disposed of in light of ratio laid down in case of **Amar Singh (supra)**. He further placed reliance upon order dated 10.11.2017

in case of **Madan Lal Sharma Vs. The Registrar, Co-operative Societies and Anr., S.B. CWP No. 19880/2017** passed by a Co-ordinate Bench of this Court and submits that on the basis of ratio laid down in case of **Amar Singh (supra)**, the issue was decided. He further submitted that The Jalore Central Cooperative Bank Limited has preferred D.B. Special Appeal Writ No. 433/2017 to challenge order dated 17.10.2016 in case of **Amar Singh Vs. The Jalore Central Cooperative Bank Limited (supra)** but same was dismissed by a Division Bench of this Court at Principal Seat, Jodhpur.

3. Learned counsel appearing on behalf of respondent(s) candidly admits that the issue raised in these writ petitions has set to a rest by this Hon'ble Court after decision in case of **Amar Singh Vs. The Jalore Central Cooperative Bank Limited (supra)** and he has nothing to oppose these writ petitions except the reply placed on record.

4. Having considered the submission and material placed on record, the judgment as referred by learned counsel for petitioner clearly indicate that the issue raised herein is already considered and decided by a Co-ordinate Bench at Principal Seat Jodhpur in case of **Amar Singh (supra)** and same is approved by Division Bench in judgment dated 18.07.2017 in D.B. SAW No. 433/2017, thus these writ petitions are liable to be allowed.

5. The petitioner(s) have submitted representation to the respondent(s) but same has been rejected and the petitioner(s) have also challenged the order passed by the respondent(s), therefore, it is appropriate to quash and set aside the order while disposing of these writ petitions.

6. In view of discussions made hereinabove, these writ petitions are allowed in terms of judgment dated 17.10.2016 in case of **Amar Singh Vs. Vs. The Jalore Central Cooperative Bank Limited (supra).**

7. The order dated 19.01.2018 (Annexure-11), in writ petition Nos. S.B. Civil Writ Petition No. 9243/2019, S.B. Civil Writ Petition No. 9244/2019, S.B. Civil Writ Petition No. 9396/2019, S.B. Civil Writ Petition No. 9397/2019, S.B. Civil Writ Petition No. 9398/2019 and order dated 19.01.2018 (Annexure-10) in S.B. Civil Writ Petition No. 9395/2019.

8. The respondent(s) are directed to implement the judgment in letter and spirit after examination of the case of each of petitioner within a period of 90 days from date of receipt of copy of this order.

9. With aforesaid, these writ petitions are disposed of with pending application(s), if any.

(ASHOK KUMAR JAIN),J