

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 9782/2026

1. Man Singh Gurjar S/o Late Shri Ram Shaya Gurjar, Aged About 54 Years, R/o Sikandra Burja Tehsil Sikari, District Dausa - 303326 Presently Working As Executive Assistant, CGST Audit Commissionerate, Jaipur, Group - B
2. Lokendra Kumar Beejawat S/o Sh. Gajendra Kumar Beejawat, Aged About 54 Years, R/o P. No. 43, Thim Colony, Murlipura, Jaipur-302039 Presently Working As Executive Assistant, CGST Division-H, Jaipur Group-B
3. Gulab Singh Chauhan S/o Late Sh. Janak Singh, Aged About 49 Years, R/o Plot No. 10, Santosh Sagar Colony, Brahmpuri Road, Jaipur Presently Working As Executive Assistant, CGST Division-D, Jaipur Group-B
4. Amar Singh S/o Sh. Raghunath Singh, Aged About 54 Years, R/o P. No. 54, Shri Balaji Dham, Near Pawanpuri Circle, Benar Road, Jhotwara, Jaipur- 302012 Presently Working As Executive Assistant, CGST Division-E, Jaipur. Group-B.
5. Pawan Kumar Dogra S/o Late Sh. Bishan Lal, Aged About 50 Years, R/o H-58A Shiv Path Gali No. 1 Rpa Road Shastri Nagar, Jaipur-302016 Presently Working As Executive Assistant, CGST Division-I Jaipur. Group-B
6. Ramesh Chand Soni S/o Late Sh. Jagdish Prasad Soni, Aged About 54 Years, R/o 4, Panchwati Colony, Kalwar Road, Jhotwara, Jaipur-302012 Presently Working As Executive Assistant, CGST Division-H Jaipur Group-B
7. Yashpal Singh S/o Sh. Narendra Singh, Aged About 47 Years, R/o 75/III, Income Tax Colony, Jyoti Nagar Colony, Jaipur-302005, Presently Working As Executive Assistant, CGST Commissionerate, Jaipur Group-B
8. Ramesh Sharma S/o Late Shri Nav Ratan Lal Sharma, Aged About 47 Years, R/o P.no.31, Ganesh Nagar, Moti DOUNGARI, Jaipur-302004, Presently Working As Executive Assistant, CGST Division-I, Jaipur Group-B. Subject Promotion

-----Applicants/Petitioners

Versus

1. Union Of India, Through The Secretary (Revenue), Room No. 128A, North Block, New Delhi-110001.
2. Chairman, Central Board Of Indirect Taxes And Customs, 4Th Floor, C Wing, Hudco Vishala Building, Bhikaji Cama Place, R.k. Puram, New Delhi-110066.
3. Chief Commissioner, Central Goods And Service Tax, Jaipur Zone, New Central Revenue Building, Statue Circle, C-Scheme, Jaipur- 302005.
4. Shanta Prakash Tailor Son Of Shri Prahlad Lal Tailor, Aged About 54 Years, Resident Of Quarter No.150, Type-II, Central Revenue Colony, Jyoti Nagar, Jaipur-302005, Rajasthan
5. Pradeep Bhuria Son Of Shri Shish Ram Bhuria, Aged About 39 Years, Resident Of 190, A-1, Sunder Vihar, Takia Ki Chowki, Khotwara, Jaipur-302012, Rajasthan
6. Akhil Sheoran Son Of Shri Prem Singh, Aged About 34 Years, Resident Of Hansawas Kalan (54), Bhiwani, Haryana-127308
7. Yogesh Sharma Son Of Shri Chandu Ram, Aged About 36 Years, Resident Of 129, Durga Colony, Durga Mandir Ke Pass, Ward 123, Hanumangarh-335512, Rajasthan.
8. Pradeep Kumar Son Of Shri Dilbag Singh, Aged About 35 Years, Resident Of House No. 87, Ward No.3, Sir Chotu Ram Colony, Uchana Kalan (109), Jind, Haryana-126115.
9. Anant Kumar Garg Son Of Shri Devki Nandan Gupta, Aged About 36 Years, Resident Of 67/231, Sector-6 Pratap Nagar, Sanganer, Jaipur-302033, Rajasthan.
10. Rishi Raj Pabri Son Of Shri Ram Phool Meena, Aged About 41 Years, Resident Of B-71, Ambedkar Nagar, Alwar-301001, Rajasthan.
11. Mahesh Kumar Chaudhary Son Of Shri Mohan Lal Chaudhary, Aged About 40 Years, Resident Of Dhahar, Tankarda, Jaipur-303702, Rajasthan.
12. Subhash Banshiwal Son Of Shri Om Prakash Banshiwal, Aged About 40 Years, Resident Of 17, Bhagwai Nagar-2 Nd, Kartarpura, Jaipur-302006, Rajasthan.
13. Man Mohan Sharma Son Of Shri Madan Lal Sharma, Aged About 40 Years, Resident Of 31, Defence Colony, Niwaru Road, Jhotwara, Jaipur-302012, Rajasthan.

14. Puspendra Singh Son Of Shri Ramswaroop, Aged About 36 Years, Resident Of Laxmi Nagra, Ward No.12, Kotputli-Behror-303018, Rajasthan.
15. Deepak Mahala Son Of Shri Rajendra Kumar Mahala, Aged About 36 Years, Resident Of M.p. Jankipura, Via Jajod, Tehsil Shrimadhapur, Sikar-332722, Rajasthan.
16. Vishwas Morya Son Of Shri Badrinarayan Morya, Aged About 35 Years, Resident Of C-8, Phase-III, Jhalana Doongari, Jaipur-302004, Rajasthan.
17. Anil Kumar Sahu Son Of Shri Babu Lal Sahu, Aged About 39 Years, Resident Of Indra Kaloni, Sawaimadhapur Road, Tonk-304001, Rajasthan.
18. Rohit Priyadarshi Son Of Shri Yogendra Prasad, Aged About 40 Years, Resident Of Quarter No. D-49, Sector No.7, Customs Colony, Vidhyadhar Nagar, Jaipur-302039, Rajasthan.
19. Kripa Shankar Singhwal Son Of Shri Om Prakash Singhwal, Aged About 36 Years, Resident Of Via Kherli, Natoj, Alwar-321060, Rajasthan.
20. Amit Kumar Soni, Aged About 38 Years, Resident Of E-90/607, Chitrakoot Yojana, Vaishali Nagar, Akshardham Temple, Jaipur-302021, Rajasthan.
21. Maneesh Kumar Son Of Shri Sambhu Dayal, Aged About 41 Years, Resident Of Village Bardod, Near Ghantaghar, Tehsil Behror, Alwar-301020, Rajasthan.
22. Laxmi Narayan Meena Son Of Shri Lala Ram, Aged About 38 Years, Resident Of Ghati Karolan, Rakhodiya Ki Dhani, Goner Road, Tehsil Sanganer, Jaipur-302031, Rajasthan.
23. Varun Yadav Son Of Shri Ramesh Chandra Yadav, Aged About 40 Years, Resident Of 416, Avas Vikas Colony, Bodla, Near Power House, Sector-12D, VTS, Agra-282007, Uttar Pradesh.
24. Anil Birle Son Of Shri Mishrilal Birle, Aged About 44 Years, Resident Of 55, Shivdham Colony, Near Shiv Mandir, Sector-C, VTC Limbodi, Post Kelodkartal, District Indore-452020, Madhya Pradesh.
25. Santosh Kumar Meena Son Of Shri Ratti Ram Meena, Aged About 39 Years, Resident Of Digariya Kapoor, Dhigaria Bhim, Dausa-303315, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Virendra Lodha, Sr. Adv. assisted by Mr. Mukesh Kumar Agarwal
For Respondent(s)	:	Mr. Ajay Shukla assisted by Mr. Raghav Sharma, Mr. Shivam Sharma and Ms. Jyoti Sharma

HON'BLE MR. JUSTICE MAHENDAR KUMAR GOYAL
HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

27/05/2026

Heard the learned Senior Counsel for the petitioners.

For the respondent No.1-Union of India, learned Senior Counsel for the petitioners is directed to supply a copy of the writ petition in the office of Mr. Bharat Vyas-learned Additional Solicitor General of India, during course of the day.

Mr. Ajay Shukla-learned counsel appears for the respondent Nos.2 and 3/caveator.

Issue notice to the respondents No.4 to 25.

The petitioners are also permitted to serve them through the Email address given in the cause title.

Heard on stay application.

Learned Senior Counsel for the petitioners contends that the Central Administrative Tribunal failed to take note of the fact that the Recruitment Amendment Rules, 2015 were curative in nature especially, in view of the reply filed by the official respondents to the contents of Para No.5.2 to 5.4 of the original application wherein, it was admitted that pursuant to 6th Pay Commission

recommendation, the Government of India, in all its organization, through DoPT enforced Model Recruitment Rules which provided vide OM dated 07.10.2009, the educational qualification for the post of LDC as 12th Class or equivalent but, while amending the recruitment Rules in the year 2013, on account of inadvertence, this qualification was left out to be inserted, which was done by way of Recruitment Amendment Rules, 2015. Relying upon a judgment of the Hon'ble Supreme Court of India passed in **Sree Sankaracharya University of Sanskrit & Ors. versus Manu & Ors.: MANU/SC/0581/2023**, he would canvass that even a statute curative in nature can have retrospective operation. He further submits that in the garb of this amendment, the official respondents are going to withdraw the benefit of promotion already extended to them. He also contends that there was an interim order passed by the Central Administrative Tribunal, Jaipur dated 05.11.2024 operative during pendency of the original application whereby, the respondents were restrained from taking any adverse action qua them. He prays for similar relief.

Learned counsel for the respondent No.2 and 3/caveator prays for time to address the Court on the stay application after submission of the reply.

On that premise, finding force in the contentions advanced by the learned Senior Counsel for the petitioners, we deem it just and proper to restrain the respondents from withdrawing the benefit of promotion already extended to them, till further orders.

However, this order will not come in the way of the respondent Nos. 2 and 3 in moving an application under Article 226(3) of the Constitution of India, if so advised.



List the matter after six weeks as prayed.

(ANIL KUMAR UPMAN),J

(MAHENDAR KUMAR GOYAL),J

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