

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

S.B. Civil Writ Petition No. 10470/2026

URN: CW / 23199U / 2026

1. Arvind Kumar Sharma S/o Rajendra Prasad Sharma, Aged About 33 Years, R/o Vikash Colony Laxmangarh Alwar 321607 Presently Posted At Gsss Nangal Khanjadi Block Laxmangarh Alwar.
2. Rupesh Kumar Sharma S/o Rajendra Prasad Sharma, Aged About 32 Years, R/o Atari Dist Bhartpur Pin 321028 Presently Posted At Mahatma Gandhi Govt School Pai Block Girwa Dist Udaipur.
3. Jagdish Labana S/o Dalichandra Labana, Aged About 33 Years, R/o Tanda Mangla Sajjangerh Dist Banswara 327602 Presently Posted At Gsss Dungripada Block Kushalgarh Banswara.
4. Nitesh Kumari Sharma D/o Laddu Lal Sharma, Aged About 35 Years, R/o, Shubhash Colony Sawai Madhopur, District-Sawai Madhopur, pin Code-322001, Presently Posted At Ggsss Surwal Sawai Madhopur.
5. Hemant.patidar S/o Kavji Patidar, Aged About 32 Years, R/o Chokhala Bagidora Dist Banswara 327604 Posted At Gsss Dungripada Block Kusalgarh Banswara.
6. Umesh Chandara Patidar S/o Bharat Lal Patidar, Aged About 42 Years, V.p.o - Karji, Teh - Bagidora, Dist - Banswara, Pin - 327604, Presently Posted At Gsss Ungariya, Ghatol Dist Banswara.
7. Heena Koser W/o Abdul Rashid Khan, Aged About 40 Years, R/o Bhawani Mandi Distt. Jhalawar Pin 326502 Presently Posted At Gsss Sunel Block Sunel Dist. Jhalawar.
8. Himanshi Prajapat D/o Kailash Prajapat, Aged About 27 Years, R/o Blue Dimond Apartment Udaipur, District-Udaipur Pincode- 313001 Presently Posted At Gsss Keshvana Jalore.
9. Vinit Pandya S/o Vinod Chandra Pandya, Aged About 35 Years, Village And Post Kotada, Tehsil- Garhi, Distt. Banswara Pin Code 327032 Presently Posted At Gsss Badhir Distt. Banswara.
10. Anil Kumar Saini S/o Ladu Ram Saini, Aged About 30

Years, R/o, Ward No.09 Vpo- Tonk Chhilari Tehsil- Nawalgarh, District- Jhunjhunu, Pin Code-333303, Presently Posted At- Gsss Duwati Dholpur.

11. Sunil Kumar S/o Nattha Singh, Aged About 39 Years, R/o Bandpura Hari Nagar Post-Mandawara Tehsil -Hindaun City Dist Karauli Raj 322230 Presently Posted At Gsss Beawar Khas Dist Beawar
12. Rashmi Patidar D/o Pratap Patidar, Aged About 29 Years, Vpo Chokhala Teh. Bagidora Distt. Banswara Raj Pin Code 327604 Presently Postwd At Gsss Mahudi Sajjan Garh Banswara.
13. Arun Parmar S/o Rajkamal Parmar, Aged About 28 Years, R/o Gumanpur Post Dhelana,teh Rishabhdeo, Distt. Udaipur, Raj. Pin.313903 Presently Posted At Mggs Pai Block Girwa Dist. Udaipur
14. Vimala Rawal D/o Tej Nath, Aged About 32 Years, R/o Dungarpur, Distt. Dungarpurpin 314001 Presently Posted At Gsss Tadi Obri Dist Dungarpur
15. Banshilal Balai S/o Sukhdev Balai, Aged About 31 Years, R/o, Mowai, Dist. Pratapgarh, Pin 312615 At. Gsss Damoda Block Damodar Dist Pratapgarh.
16. Dharmendra Kumar S/o Rajendra Prasad, Aged About 34 Years, R/o Bhanot, Mundawar Dist Khairthal Tijara Presently Posted At Mggs Ramgarh Block Ramgarh Dist Alwar.
17. Hirendra Panwar S/o Rasik Panwar, Aged About 35 Years, R/o Ganpati Chowk Lakharwara Banswara Dist Banswara Presently Posted At Gsss Devgarh Banswara.
18. Manoj Meena S/o Shaitan Singh Meena, Aged About 35 Years, R/o Rambas Teh Mundawar Hatundi Dist Alwar Presently Posted At Government Senior Secondary School Nua Dist Jhunjhunu.
19. Nisha Joshi W/o Vikas Joshi, Aged About 38 Years, Holi Chowk Kupda Banswara, District Banswara Presently Posted At Pm Shri Gsss Limthan Banswara.
20. Buniyad Ali S/o Mohammad Rafiq Khatri, Aged About 26 Years, R/o Badagaon Sarwar Teh. Bonli, Dist. Sawai Madhopur, Pin 322023 Presently Posted At Gsss Kanuja Block Raipur Dist Pali.

21. Sanjay Kumar Meena S/Chhatar Mal Meena, Aged About 26 Years, R/o Vill. Bhawthi Post Bhawta District Dausa Pin 303325 Presently Posted At Gsss Varman Sirohi.
22. Pushpa Singhvi D/o Karu Lal Singhvi, Aged About 42 Years, R/o Setho Ki Gali, Salumber Udaipur Presently Posted At Gsss Aggad Block Lasadiya Distt. Salumber.
23. Krishan Bala D/o Bhagwan Singh, Aged About 35 Years, R/o Rampalji Ki Dhani, Ward No. 15, Post- Dhod, Tahsil- Dhod, Pin No. 332002. Distt. Sikar Presently Posted At Shaheed Chandan Singh Govt. Sr. Sec. School Churoli Khakholi Block-Dhod Distt. Sikar.
24. Amit Kumar S/o Prem Chand Sharma, Aged About 31 Years, R/o Gangrauli, Bhratpur 321602 Presently Posted At Gsss Ladpura Distt. Bhilwara.

-----Petitioners

Versus

1. State Of Rajasthan, Through The Secretary, Department Of School Education, Secretariat, Government Of Rajasthan, Jaipur, Rajasthan.
2. Director, Secondary Education, Bikaner, District Bikaner, Rajasthan.
3. State Projector Director, Rajasthan Council Of School Education, Jhawarlal Nehru Marg, Jaipur, Rajasthan.

-----Respondents

---

|                   |   |                                                                                                                      |
|-------------------|---|----------------------------------------------------------------------------------------------------------------------|
| For Petitioner(s) | : | Mr. Raghu Nandan Sharma<br>Ms. Manasvita Sharma<br>Mr. Ayush Bishnoi<br>Ms. Kritika Rajawat<br>Mr. Abhinav Srivastav |
| For Respondent(s) | : | Ms. Pooja Sharma for<br>Mr. Manoj Sharma, AAG<br>Mr. Abhishek Sharma                                                 |

---

**HON'BLE MS. JUSTICE REKHA BORANA**  
**Order**

**14/07/2026**

1. The matter comes upon an application under Order 6 Rule 17, CPC filed on behalf of the petitioners praying for an

amendment in the writ petition with an averment that after filing of the present writ petition, a fresh NIT has been issued by the respondent-Department inviting bids for deployment of vocational trainers and coordinators in Government Senior Secondary Schools under *Samagra Shiksha* and PM Shri Scheme across all districts of Rajasthan. The said NIT is required to be laid a challenge to and hence, the writ petition be permitted to be amended.

2. In view of the submission made in the application, the same is **allowed**. The amendment as sought in the writ petition, is permitted to be made. The amended writ petition as filed be taken on record.

3. Counsel for the respondents is granted three weeks time to file reply to the amended writ petition.

4. Heard on stay petition.

5. Counsel for the petitioners submits that the petitioners were working as Vocational Trainers under the STARS Scheme. However, the said Scheme came to an end and the new Scheme in the name of PM Shri Yojana has been implemented. Initially, NIT No. 6/2024-25 was issued to fill up the vacancies of Vocational Trainers under the PM Shri Scheme, but the said NIT stood withdrawn subsequently.

6. As a consequence, vide communication dated 18.03.2026 (Annex.-5), the placement agencies who had earlier been granted the tenders, were directed to ensure deployment of the eligible vocational trainers w.e.f. 01.04.2026. Vide the said communication, the placement agencies were directed to adjust all

those 239 vocational trainers who were working under the STARS Scheme, in the new PM Shri Scheme.

7. Despite the above specific direction, the present petitioners have not been adjusted in the new Scheme. Furthermore, now fresh tenders have been invited by the State-Authority.

8. Counsel for the respondents submits that it is the placement agency who has been directed to adjust the services of the earlier vocational trainers and it is wholly the discretion of the placement agency whether to adjust the petitioners or not. The State has no say in the same. So far as the fresh NIT is concerned, as the earlier NIT stood withdrawn, a new one is essential to be issued for the next financial year.

9. Heard the Counsels.

10. A bare perusal of communication dated 18.03.2026 (Annex.-5) reflects that a specific direction to the placement agency was given, to adjust the services of the earlier Vocational Trainers in the new Scheme. When such was the specific direction of the State-Authority itself, it is not open for it to aver that the State has no say and it is the discretion of the placement agency which has been entrusted with the duty to accommodate the earlier employees. The Hon'ble Apex Court in ***Bhika Ram Vs. State of Rajasthan & Ors.; (2025) SCC OnLine SC 2891***, while dealing with a Circular issued by the government held that the State Government cannot be permitted to act in contravention of the policy framed by it, which binds it. Therein, the Court observed as under:

*".....It is well settled in law that a policy decision though executive in nature binds the Government, and the Government cannot act contrary thereto, unless the policy is lawfully amended or withdrawn. Any action taken in derogation of such a policy, without amendment or valid justification, is arbitrary and violative of Article 14 of the Constitution of India."*

11. Further, to ensure compliance of directions, being a State instrumentality, it has to ensure protection of rights of all and when it is evident on record that the services of the earlier employees are sought to be terminated only on the pretext of a new Scheme being implemented, it is the duty of the State to ensure that the employees who had been working since years, are adjusted under the new Scheme.

12. Furthermore, it is evident that even under the new Scheme, the vacancies are sought to be filled up through placement agencies. In that event, the right of the present contractual employees deserve to be protected as they are indirectly been sought to be replaced by other set of contractual employees.

13. The stay petition is hence, **allowed**.

14. The petitioners shall be permitted to continue in service, till the final disposal of the writ petition.

**(REKHA BORANA),J**