

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 860/2025

J. K. Foundation For Human Development Society & Ors.

----Appellants

Versus

Inamur Rehman Son Of Azizur Rehman & Anr.

----Respondents

For Appellant(s)	:	Mr. Ashish Sharma
For Respondent(s)	:	Mr. Tanveer Ahamad

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE MANEESH SHARMA

Order

26/11/2025

1. Issue notice to the respondents.
2. Learned counsel Mr. Tanveer Ahamad accepts notices on behalf of the respondents.
3. Learned counsel submits that the respondents (original applicants before the Tribunal) had been working elsewhere during the period of termination, therefore, complete back wages could not be granted. Learned counsel presses his submission with regard to the aspect regarding procedure to be followed by the Tribunal while examining and deciding cases as laid down by this Court in ***Tagore Bal Niketan Madhyamik Vidyalaya, Tonk through It's Secretary And Ors. vs. State of Rajasthan, through the Secretary to the Government, Department of Education And Ors.*** reported in **2018 2 RLW (Raj) 1576**.
4. Per contra learned counsel appearing for respondents-caveator submits that so far as the aspect regarding procedure as laid down in **Tagore Bal Niketan Madhyamik Vidyalaya** (supra)

is concerned, there were no arguments advanced by learned counsel for the petitioners before learned Single Judge and therefore, learned Single Judge had no occasion to examine the said aspect.

5. So far as, the back wages part is concerned, therein an affidavit has been filed by the appellants in the writ petition. We find that there is no counter filed by the concerned employees. We, therefore, stay the back wages part and direct the appellants to reinstate the respondents forthwith.

6. If, it is noticed that reinstatement has not been done, the appeal shall stand dismissed.

7. List this case after six weeks.

(MANEESH SHARMA),J

(SANJEEV PRAKASH SHARMA),ACTING CJ