

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 1607/2016

Bhagwat Dayal Mathur, S/o Late Shri Moolchand Mathur, Plot No.
-6, Ambika Colony, Tonk Road, Sanganer, Jaipur 302029

----Petitioner

Versus

1. State Of Rajasthan Through The Principle Secretary Public Works Department, Government Of Rajasthan, Secretariat, Jaipur-302001
2. The Chief Engineer Public Works Department, Jacob Road, Main Building, Public Works Department, Jaipur
3. The Secretary Finance, Department Of Finance, Secretariat, Jaipur

----Respondents

Connected With

S.B. Civil Writ Petition No. 10877/2016

Ashok Kumar Sharma S/o Late Shri Badri Prasad Sharma, 65/91,
Pratap Nagar Housing Board Colony Sanganer, Jaipur - 302033

----Petitioner

Versus

1. State Of Rajasthan Through The Principle Secretary Public Works Department, Government Of Rajasthan, Secretariat, Jaipur-302001
2. The Chief Engineer Public Works Department, Jacob Road, Main Building, Public Works Department, Jaipur
3. The Secretary Finance, Department Of Finance, Secretariat, Jaipur

----Respondents

For Petitioner(s) : Mr. Anudyuti Maitra

For Respondent(s) : Mr. Dheeraj Tripathi, Dy.GC

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

24/02/2026

1. Instant writ petition No.1607/2016 is preferred by petitioner with following prayer:
 - a. That a Writ, order, or direction may kindly be issued against the respondents to direct the respondents to pass appropriate Writ orders directing the State/respondent to pass appropriate orders/legislation to consider and promote the petitioner for the post applicable as per their own circular whereby the petitioners are liable to be promoted after creation of the post from 1996.
 - b. That a writ order or direction may kindly be issued against the respondents to consider the case of the petitioner for the promotional post and its pay as per the circular and division wise seniority list as is existent on date.
 - c. That any other and further orders as deemed fit and proper in facts and circumstances of the case may kindly be passed in favour of the petitioner.
2. Instant writ petition No.10877/2016 is preferred by petitioner with following prayer:
 - a. That a Writ, order, or direction may kindly be issued against the respondents to direct the respondents to pass appropriate Writ orders directing the State/respondent to pass appropriate orders/legislation to consider and promote the petitioner for the post applicable as per their own circular whereby the petitioners are liable to be promoted after creation of the post from 1996.
 - b. That a writ order or direction may kindly be issued against the respondents to consider the case of the petitioner for the promotional post and its pay as per the circular and division wise seniority list as is existent on date.

c. That any other and further orders as deemed fit and proper in facts and circumstances of the case may kindly be passed in favour of the petitioner.

3. During the course of arguments, learned counsel appearing on behalf of the respondent referred to the notification dated 09.02.2024 issued by the Department of Personnel (DoP), Government of Rajasthan, which came into force with effect from 17.02.1995, and submitted that both the petitioners have superannuated and that the amended Rules are now being implemented with effect from 17.02.1995. He further submitted that the cases of the present petitioners shall be considered for promotion to higher posts as included at Serial No. 37 in Schedule-II appended to the Amended Rules of 2024.
4. Learned counsel for petitioner has also referred Annexure-8, (order dated 30.08.2005) issued by the Finance Department, Expenditure (Third Division), Government of Rajasthan, and submitted that the Rajasthan Pay Scale Rules, 1998 were amended and the pay scale was accordingly revised for the post of Supervisor (Stores).
5. He also submitted that the amendment referred by learned counsel for the respondent had already come into force in the year 1995, however, the benefit thereof has been extended selectively to a handful of persons.
6. Having considered the submissions of learned counsel for the parties and upon perusal of the material available on record, this Court deems it appropriate to dispose of the writ petition with a direction to the respondents to consider the case of

the present petitioners for promotion in accordance with the applicable Rules and also in parity with identically placed persons who have already been granted the benefit by the respondents on an earlier occasion.

7. Accordingly, the writ petition is disposed of with a direction to the respondents to consider present petitioners for grant of promotion, as mentioned hereinabove. All necessary examination shall be completed within a period of 120 days from the date of receipt of a copy of this order and if the petitioners are found eligible and entitled for benefits, then all consequential benefits shall be extended within a further period of 60 days from the date of such decision.
8. The writ petition, along with pending miscellaneous application(s), if any, stands disposed of accordingly.

(ASHOK KUMAR JAIN),J