

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 12444/2023

Shahbaz Khan S/o Shri Mohammad Qasim Khan & Ors.

-----Petitioners

Versus

State Of Rajasthan & Ors.

-----Respondents

For Petitioner(s) : Mr. Himanshu Jain

For Respondent(s) :

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

11/08/2023

1. It has been stated that petitioners were engaged (petitioner No.1 as Computer Operator Machine with Man, petitioner No.2 and 3 as Helper) vide order dated 03.06.2016 by the Chief Medical Officer, Govt. District Saadat Hospital, Tonk under the Scheme of Mukhyamantri Nishulk Janch Yojana (MNJY Scheme) and Mukhyamantri Nishulk Dawai Yojana (MNDY Scheme) and later on, respondent No.3 transferred services of petitioners under placement agency i.e. respondent No.4 M/s Motherland Security and Labour Welfare Society vide order dated 14.09.2022 (Ann-1) without giving any opportunity of hearing to petitioners.
2. Counsel for petitioners states that petitioners are entitled to be continued under the employment of respondent No.3 as well as to draw their salary directly without involvement of placement agency. It has been stated that petitioners at present are continuously rendering their services satisfactorily.

3. Counsel for petitioners states that in the similar set of facts in **SBCWP No.19137/2022: Bhanwar Lal Yadav V State of Rajasthan** vide order dated 03.05.2023, this Court directed respondents to allow petitioners to continue their services under the employment of Rajasthan Medicare Relief Society, hence, the same relief be granted in favour of petitioners.
4. Heard.
5. Issue notice to respondents of writ petition as also of stay application.
6. In the meanwhile, services of petitioners in MNJY and MNDY Schemes may not be discontinued and petitioners may be allowed to continue to serve under the employment of Rajasthan Medical Relief Society.
7. List the matter along with SBCWP No.19137/2022.

(SUDESH BANSAL),J