

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal (Writ) No. 7/2022

In

S.B. Civil Writ Petition No.4074/2020

- 1. State of Rajasthan, Through Its Home Secretary, Govt. Secretariat, Jaipur (Raj.).
- 2. The Director General of Police, Head Quarter, Jaipur (Raj.).
- 3. The Superintendent of Police, Alwar, District Alwar (Raj.).

----Appellants-Respondents

Versus

- 1. Vishram Gurjar Son of Shri Sundaram Gurjar, Aged About 27 Years, Resident of Sirawas, Tehsil Alwar, District Alwar (Raj.).
- 2. Sunil Kumar Son of Shri Om Prakash, Aged About 28 Years, Resident of Village Mainpur, Tehsil Mandawar, District Alwar (Raj.).

----Petitioners-Respondents

For Appellant(s)	:	Mr. Vishnu Dutt Sharma, AAAG
For Respondent(s)	:	Mr. Bajrang Sepat on behalf of Ms. Komal Kumari Giri

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

13/11/2025

1. Learned counsel appearing on behalf of the appellants clearly states that the issue raised in this appeal stands finally adjudicated by a Co-ordinate Bench of this Court in the case of **"State of Rajasthan and Ors. Vs. Vinod Kumar Meena and Anr."** (D.B. Special Appeal (Writ) No.61/2024), decided on 05.04.2024, wherein the Coordinate Bench has held as under:

"1.At the outset learned counsel for the respondents-writ petitioners would submit that in their case, the writ petitions have been allowed to the extent of payment of salary without including the amount of training expenses and, therefore, their case is squarely covered by order dated 13.12.2016 passed by the Division Bench of this Court in **D.B. Special Appeal (Writ) No.744/2016 [State of Rajasthan & Ors. Vs. Jagdish & Ors.]**.

2. Learned Senior Counsel for the State could not point out any distinction on facts insofar as the present batch of appeals is concerned. He would submit that the order dated 13.12.2016, referred to above, grants limited relief only to the extent of entitlement of salary. Drawing attention of this Court to the relevant paras of the aforesaid order, he would submit that it has been clearly held that recovery has to be confined only to the expenses incurred on training. Meaning thereby, the training expenses are required to be refunded.

3. Having heard learned counsel for the parties and having perused the order dated 13.12.2016 passed in the case of Jagdish (supra), we find that in the aforesaid decision, the Division Bench of this Court, after thoroughly examining the provisions of the applicable rules and the facts of the case, came to the conclusion that as far as the salary part is concerned, the petitioners are entitled to salary for the period they were in service. However, as far as the expenses incurred

on training is concerned, that is liable to be paid to the employer.

4. In the present case, the respondents, vide impugned order passed by the learned Single Judge, have been granted only salary part and there is no order protecting them from recovery against expenses incurred on training. That being the legal and factual position, the issue raised in this batch of appeals is squarely covered by order dated 13.12.2016 passed in the case of Jagdish (supra).

5. Accordingly, the State appeals are liable to be dismissed and are accordingly dismissed."

2. In view of the judgment passed by a Co-ordinate Bench of this Court in the case of "**State of Rajasthan and Ors. Vs. Vinod Kumar Meena**" (supra), the present appeal stands dismissed in similar terms.

3. All pending applications shall also stand disposed of.

(BALJINDER SINGH SANDHU),J (SANJEEV PRAKASH SHARMA),ACTING CJ