

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 15516/2025
CNR: RJHC020871422025 | URN: CW / 35259U / 2025

Kamal Singh Shekhawat Son Of Shri Jai Singh Shekhawat
-----Petitioner

Versus

State Of Rajasthan
-----Respondent

For Petitioner(s)	:	Mr. Madhav Dadhich.
For Respondent(s)	:	Mr. G.S. Gill, AAG assisted by Ms. Shikha Sharma. Mr. Ashish Kishore Saxena.

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE SANDEEP TANEJA
Order

23/07/2026

In Application No.1/2026:-

Heard on the Application No.1/2026 filed by the respondents-applicants seeking vacation of the interim order dated 10.10.2025 (read with the clarificatory order dated 16.10.2025).

We have heard counsel for the parties and perused the record.

The Hon'ble Supreme Court in the matter of **Government of West Bengal Vs. Amal Satpathi and Ors.**, reported in **2025(4) SLR 531 (SC)** in para No.19(18) observed as under:-

"It is no longer res integra that a promotion is effective from the date it is granted and not from the date when a vacancy occurs on the subject post or when the post itself is created. No doubt, a right to be considered for promotion has been treated by courts not just as a statutory right but as a fundamental right, at the same time, there is no fundamental right to promotion itself."

A government employee though has a right to fair consideration for promotion in accordance with the relevant Rules but does not have a vested right of promotion. Time and again the Hon'ble Supreme Court, in a catena of decisions, has consistently held that no employee can claim promotion as a matter of right and the employer is competent to hold and undertake the promotional exercise in terms of the applicable service Rules.

The interim order was passed on 10.10.2025 read with 16.10.2025 and promotional exercise for the post of Deputy Town Officer is in abeyance since then and thereafter almost nine months have rolled by now and reply to the writ petition has already been filed on behalf of the department as well as the private respondents.

In the facts and circumstances before us, the interim order dated 10.10.2025 read with 16.10.2025 is vacated.

The application for vacation of interim order dated 10.10.2025 read with 16.10.2025 is accordingly allowed.

In Application No.2/2026:-

The application (2/2026) for taking the additional documents on record is allowed.

In D.B. Civil Writ Petition No. 15516/2025:-

Heard.

Admit.

List this matter for hearing in due course.

(SANDEEP TANEJA),J

(INDERJEET SINGH),J