

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 17053/2023

Ajit Sharma S/o Shri Manohar Lal Sharma, Aged About 27 Years,
R/o Unch, Bharatpur, Rajasthan 321602

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary,
Panchayati Raj Department, Government Of Rajasthan,
Government Secretariat Jaipur.
2. Rajasthan Staff Selection Board, Through Its Secretary,
State Agriculture Management Institute, Durgapura,
Jaipur, Rajasthan- 302018

-----Respondents

For Petitioner(s) : Mr. Kapil Bhardwaj
For Respondent(s) :

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

14/11/2025

1. Instant writ petition has been filed by the petitioner with
following prayers:

“It is, therefore, humbly and most respectfully prayed that your lordships may very graciously be pleased to admit and allow this Civil Writ Petition and further;
i. By issuing appropriate writ order or direction, the candidature of the petitioner may be considered for the post of Teacher Level-II, Special Education (H.I.) and name of the petitioner may be included in the merit list and further if the petitioner is found meritorious the petitioner shall be accorded the appointment on the aforesaid post.
ii. By issuing appropriate writ order or direction, the petitioner may be accorded the appointment

to the petitioner on the post of Teacher Level-II, Special Education (H.I.).

iii. That any other order or direction as this Hon'ble High Court may deem fair, just and proper in the facts and circumstances of the case may be passed in favour of the Petitioner."

2. Learned counsel for petitioner submits that controversy involved in this writ petition is already set at rest by the Division Bench of this Court at Principal Seat, Jodhpur in **D.B. Special Appeal Writ No. 31/2024 Deepika Chundawat Vs. State of Rajasthan decided on 26.05.2025**. He further submits that the judgment is further followed by a Co-ordinate Bench at Principal Seat, Jodhpur in case of **Jaswant Singh Jhala Vs. State of Rajasthan & Ors. S.B. Civil Writ Petition No. 12146/2025, Suman Vs. State of Rajasthan & Ors. S.B. Civil Writ Petition No. 18427/2025, order dated 06.11.2025 and Shiv Kumar Vs. State of Rajasthan & Ors, S.B. Civil Writ Petition No. 11599/2025**, therefore, this writ petition be disposed of in light of ratio as referred by him.

3. Having considered the material placed on record and also the ratio as decided by the Division Bench in case of **Deepika Chundawat (supra)**, it is appropriate to dispose of writ petition accordingly.

4. In view of the above, keeping into consideration the overall facts, the present petition is disposed of with the following directions:

(i). The respondents shall consider the petitioner as per his secured marks qua the 'General category' and if the petitioner is found to have secured more marks than the last selected General

category candidate, he shall be afforded appointment as per his merit qua the non TSP area.

(ii). However, the above appointment shall be offered only if the seats remain vacant as of date.

(iii). Further, no person already afforded appointment shall be ousted because of the appointment to be afforded to the petitioner now.

(iv). If the petitioner is granted appointment, he shall be entitled to all the consequential benefits of seniority, pay fixation and notional benefits but not the actual salary to which he would be entitled only from the date of the current order.

5. Instant writ petition petition and pending applications, if any, stands disposed of.

(ASHOK KUMAR JAIN),J