

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D. B. Special Appeal Writ No. 881/2023

State of Rajasthan & Others

----Appellant

Versus

Dr. Ramashankar Pareek S/o Shri Badri Narayan Pareek

----Respondent

Connected With

1. D.B. Special Appeal Writ No. 809/2023
2. D.B. Special Appeal Writ No. 810/2023
3. D.B. Special Appeal Writ No. 882/2023
4. D.B. Special Appeal Writ No. 883/2023
5. D.B. Special Appeal Writ No. 885/2023
6. D.B. Special Appeal Writ No. 887/2023
7. D.B. Special Appeal Writ No. 888/2023
8. D.B. Special Appeal Writ No. 894/2023

For Appellants	:	Mr. Rajendra Prasad Advocate General assisted by Mr. Sheetanshu Sharma Advocate Ms. Dhriti Laddha Advocate Mr. Tanay Goyal Advocate
For Respondents	:	Mr. R.N. Mathur Senior Advocate assisted by Mr. Akshit Gupta Advocate Mr. Manish Parihar Advocate on behalf of Mr. Tanveer Ahamad Advocate. Mr. Akhil Simlote Advocate Mr. Rishikesh Maharishi Advocate

HON'BLE THE CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

11/09/2024

Heard.

Taking into consideration the nature of relief sought and the fact that the appeals involve pensionary benefits to the retired persons, all these appeals require hearing out of turn. It is stated

that the order passed by the learned Single Judge in this batch of petitions is based on the order passed by this Court at Principal Seat at Jodhpur in the case of **Bijendra Kumar Tyagi & Ors. Vs. State of Rajasthan & Ors., S.B. Civil Writ Petition No.11021/2020, decided on 12.01.2023** which has also been assailed in appeal, which is pending before the Principal Seat at Jodhpur.

We are of the view that these batch of appeals at Principal Seat Jodhpur and Bench at Jaipur are required to be heard analogously.

Accordingly, list these appeals for analogous hearing on 23.10.2024 at 2.00 p.m. along with D.B. Special Appeal (Writ) Nos. 928/2023, 896/2023, 911/2023, 912/2023, 931/2023, 932/2023, 975/2023, 976/2023, 977/2023, 978/2023, 994/2023, 995/2023, 1006/2023, 1088/2023, 115/2024, 161/2024 pending at Principal Seat, Jodhpur.

In the meanwhile, we are inclined to direct that no recovery shall be made from the respondents and the appellant-State shall proceed to release all terminal benefits including provident fund, gratuity, leave encashment benefits, commuted pension etc. and also regular payment of pension on the basis of the date of regularisation, which is impugned in the writ petitions. The release of pensionary benefits will be subject to final outcome of the appeals.

(ASHUTOSH KUMAR),J

(MANINDRA MOHAN SHRIVASTAVA),CJ