

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 16116/2025

Rampyari Kumhar W/o Ramswaroop Kumhar, Aged About 46 Years, R/o Dolta Mode, Dewali, Ambapura Tonk, Rajasthan 304804. Presently working at UP Swasthya Kendra Garoli, Tonk. Employee ID- RJT0200936002208

----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Department Of Medical And Health, Government Of Rajasthan, Government Secretariat, Jaipur.
2. Director Medical And Health And Family Welfare Services, Rajasthan, Jaipur.
3. Chief Medical Health Officer, District Tonk.

----Respondents

For Petitioner(s) : Mr. Virendra Prajapat

For Respondent(s) : Mr. Archit Bohra, AGC

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

13/11/2025

1. Learned counsel for the petitioner submits that the controversy and issue raised herein is no more res integra as same has been considered and decided finally by the Division Bench of this Court at Principal Seat at Jodhpur in case of **State of Rajasthan & Ors. Vs. Dr. Paritosh Ujjwal & Ors. : D.B. Special Appeal (Writ) No.532/2016** decided on 09.07.2025.
2. Having considered aforesaid, issue notice to the respondents.
3. Mr. Archit Bohra, AGC accepts notice on behalf of the respondents.

4. He assures that if the controversy is finally decided and matter has attained finality in case of **State of Rajasthan & Ors. Vs. Dr. Paritosh Ujjwal & Ors. (supra)**, then the petitioner may submit a representation to the respondents in light of said ratio and the respondents will decide the representation within four weeks and if the judgment is applicable, the benefit shall be extended.

5. Considered the grievance raised herein, the petitioner is given a liberty to submit representation to respondents within a period of four weeks from now raising all grounds. The respondents are directed to decide the representation of the petitioner with a reasoned and speaking order within a period of 4 weeks from date of receipt of representations, in light of ratio laid down in case of **State of Rajasthan & Ors. Vs. Dr. Paritosh Ujjwal & Ors. (supra)**. If the judgment is applicable, the benefit shall be extended to the petitioner accordingly. After the order, the respondents are under an obligation to communicate the decision to the petitioner either by way of speed post or through E-mail, if petitioner has provided E-mail in her representation. If the petitioner is still aggrieved, she has a right to re-approach the court with fresh petition.

6. Accordingly, the writ petition with pending application, if any, stands disposed of.

(ASHOK KUMAR JAIN),J