

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 18922/2023

Rama Kumari D/o Shri Ram Ratan, W/o Suresh Chand, Aged
About 42 Years, R/o Vpo Rambas, Tehsil Govindgarh, District
Alwar (Raj.)

-----Petitioner

Versus

1. The State Of Rajasthan, Through, Its Principal Secretary,
Rural Development And Panchayati Raj Department,
Government Of Rajasthan, Secretariat, Jaipur (Raj.)
2. Director, Elementary Education, Rajasthan, Bikaner (Raj.)
3. Rajasthan Staff Selection Board, Through Chairman/
Secretary, State Agriculture Management Institute
Premises, Durgapura, Jaipur (Raj.)
4. District Education Officer (H.q.), Elementary Education,
Alwar(Raj.)
5. Chief Executive Officer, Zila Parishad, Alwar, Mangal Vihar
Colony, Scheme No. 5 Near Aakashwani Radio Station,
Alwar, Rajasthan 301001.

-----Respondents

For Petitioner(s)	:	Mr. Ravindra Saini Mr. Avadhesh Kumar Saini Mr. Rahul Gupta
For Respondent(s)	:	Mr. Ashutosh Udawat, AAAG with Mr. Tarun Dhankhar & Ms. Renu Chauhan on behalf of Mr. K.P. Mathur, AAG Mr. Narendra Singh Chaudhary

HON'BLE MR. JUSTICE ANAND SHARMA

Order

01/05/2026

1. Petitioner has filed the instant writ petition with
following prayer:

*"It is, therefore, most respectfully prayed that
your lordship may graciously be pleased and accept
and allow this writ petition and*

- i) by an appropriate writ order or direction, respondents be directed to give appointment to the petitioner on the post of Teacher Level-I under OBC LDCP category by considering her permanent disability more than 40% with all consequential benefit;*
- ii) In alternative constitute a medical Board in SMS Hospital regarding determination of disability of petitioner and if the disability of petitioner found more than 40% by the Medical Board, then she may be given appointment to the said post with all consequential benefit.*
- iii) Any other order which this Hon'ble Court deems just and proper in the facts and circumstances of the case may also be passed in favour of the petitioner."*

2. In view of the fact that during the pendency of the present writ petition, vide order dated 24.04.2026, the petitioner has been appointed to the post of Teacher Gr.-III Level-I and he has also joined accordingly on 30.04.2026, learned counsel for the petitioner does not press the prayer with regard to seeking direction to appoint the petitioner, however, submits that delay in granting appointment to the petitioner is solely attributable to the respondents, therefore, petitioner is entitled for notional benefits qua pay fixation and seniority from the same date on which the similarly situated persons have been given appointment.

3. Learned Additional Advocate General submits that since earlier petitioner was not found to have possessed benchmark disability, therefore, appointment was not granted to the petitioner, however, on re-examination, when the position became clear that the petitioner is having 42% Locomotor Disability, respondents have given him appointment vide order dated 24.04.2026, therefore, no cause of action for pursuing the present petition survives and the petition is liable to be dismissed.

4. Heard learned counsel for the parties and perused the record.

5. In view of above that petitioner has already been given appointment, no further directions in this regard are required.

6. However, under the aforesaid circumstances, this Court deems it just and proper to dispose of the present petition with liberty to the petitioner to submit a representation with regard to grant of notional benefits and, in case, such representation is filed by the petitioner, the same shall be considered and decided by a speaking order within a period of 60 days from the date of receipt of representation along with certified copy of this order.

7. Accordingly, the present petition stands disposed of.

8. It is made clear that this Court has not expressed any opinion on merits of this case.

9. Pending application(s), if any, also stand(s) disposed of.

(ANAND SHARMA),J