

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 17616/2025

Kalpana Sharma S/o Shri Omprakash Sharma, Aged About 35 Years, R/o H.n.- 536, Gate No. 7, Rajat Grah Colony, Nainwan Road Bundi, District Bundi (Rajasthan) Employee Id Rjpp201718030550

----Petitioner

Versus

1. The State Of Rajasthan, Through Its Principal Education Secretary, Government Secretariat, Rajasthan Jaipur.
2. The Secretary Cum Commissioner, Panchayati Raj Department, Government Secretariat, Rajasthan, Jaipur.
3. The Director (Primary Education), Bikaner.
4. The District Education Officer, (Elementary) Jaipur.
5. The Chief Executive Officer, Zila Parishad Jaipur.

----Respondents

For Petitioner(s)	: Mr. Buddhi Prakash Sharma
For Respondent(s)	:

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

08/12/2025

1. Instant writ petition is preferred by petitioner with following prayer:
 - "a) Issue a writ or direction in the nature thereof thereby direct the respondents to give service notional benefits because as given to the candidates who selected/appointed for the post of Teacher Grade III.
 - b) Issue an appropriate writ order or direction, in the nature thereof thereby respondents may kindly be directed to give same benefit, such as notional fixation, salary fixation and seniority as has been

given in the case of **Manoj Khandelwal & Ors. Vs. State of Rajasthan & Ors. S.B. CWP No.7283/2024, decided on 16.07.2024."**

2. Learned counsel for petitioner while referring and relying upon **judgment dated 17.12.2018 in S.B. Civil Writ Petition No.27286/2018 titled as Sunita Choudhary and Ors. Vs. State of Rajasthan and Ors.** submits that the controversy and the issue raised herein is already settled by a Co-ordinate Bench of this Hon'ble Court on the basis of ratio laid down in case of **Hemlata Shrimali & Ors. Vs. State of Rajasthan & Ors.: SB CWP No.3247/2015,** decided on 01.04.2015. He further submitted that instant writ petition be disposed of in accordance with aforesaid order.
3. Having considered the submissions of learned counsel for petitioner and also material placed on record, the writ petition may be disposed of in light of **Sunita Choudhary (supra)** and **Hemlata Shrimali and Ors. (supra)** passed by this Court.
4. Considered the grievance raised herein, the petitioner is given a liberty to submit a representation to the respondents-Authority within a period of 30 days raising all grounds and the respondents-Authority are directed to decide the representation in light of ratio laid down in case of **Hemlata Shrimali (supra),** but in case of deviation with a reasoned and speaking order within a period of 30 days from date of receipt of representation. After the decision, the respondents are under an obligation to communicate the

order 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 liberty to approach this Court with fresh petition.

5. Needless to say that if ratio is applicable upon facts of the case as claimed by the petitioner, then same benefits be extended.
6. With the aforesaid directions, the present writ petition with pending application, if any, stands disposed of.

(ASHOK KUMAR JAIN),J