

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 19883/2023

Satya Narayan Tak S/o Late Shri Ganga Ram

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s) : Mr. Shovit Jhajharia

For Respondent(s) : Mr. Rajat Sharma

HON'BLE THE CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE BHUWAN GOYAL

Order

04/04/2024

Heard on application (No.1/2024) for vacating the stay order.

Learned counsel for the respondent submits that in view of detailed order passed by this Court on 07.03.2024 in a petition raising identical issue, the order of stay against retirement has been subsequently vacated and, therefore, in this case also, the stay may be vacated.

Learned counsel for the petitioner would submit that the petitioner has very strong *prima facie* case and upon due consideration of the material on record and the provisions of law, the Court had granted the interim order, therefore, the same may not be vacated.

Having considered the submissions of learned counsel for the parties and in view of order dated 07.03.2024 passed in D.B. Civil Writ Petition No.5846/2023- Dr. Ashok Kumar Sharma & Ors. vs. State of Rajasthan & Anr., and that the identical issue arises for

consideration in all these petitions, the interim order stands vacated. The application stands allowed.

Learned counsel for the petitioner submits that by virtue of interim order, the petitioner had continued to serve for about three months, therefore, irrespective of the result of the case, he is entitled to the payment of salary for the period during which he worked.

This aspect shall be considered and an appropriate order shall be passed at the time of hearing of the petition.

List for final hearing alongwith D.B. Civil Writ Petition No.5846/2023.

(BHUWAN GOYAL),J

(MANINDRA MOHAN SHRIVASTAVA),CJ