

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 18816/2024

Habib Akhtar Shirvani Son Of Shri Habibullah Shirvani

-----Petitioner

Versus

State Rajasthan & Ors.

-----Respondents

For Petitioner(s) : Mr. Karanpal Singh

For Respondent(s) :

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

13/12/2024

1. Petitioner has raised a grievance that he is working on the post of Accounts Assistant in Panchayat Samiti Tonk, where three posts of Accounts Assistant are sanctioned. On two posts, two regular appointees are working and against the third remaining sanctioned post, petitioner is discharging his duties.

2. It has been submitted that respondent No.3, vide letter dated 06.08.2024, has recommended to extend the services of petitioner on such post upto the age of 65 years, since services of petitioner are likely to be dispensed with on attaining the age of 60 years w.e.f. 14.12.2024, but no decision has been taken on the recommendation letter dated 06.08.2024 so far.

3. It has been submitted that as a contractual/ part-time employee in the Panchayat Samiti, petitioner is eligible to continue his duties till attaining the age of 65 years, in the light of proviso appended to Rule 256 Sub Rule (E) of the Rajasthan Panchayati Raj Rules, 1996.

4. Heard.

5. Issue notice of writ petition as also of stay application to respondents.

6. In the meanwhile, respondents are directed to consider the recommendations issued vide letter dated 06.08.2024, to continue the contractual services of petitioner upto the age of 65 years against the sanctioned post, lying vacant.

(SUDESH BANSAL),J

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