

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 19245/2025

Shivji Lal Jat S/o Shri Mangi Lal Jat, Aged About 61 Years, R/o
41, Tir Valo Ki Gali, Bapdunda, Malpura, Tonk, Rajasthan

-----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary,
Department Of Education Government Of Rajasthan,
Government Secretariat Jaipur
2. The Director Secondary Education, Rajasthan Bikaner
3. District Education Officer, Secondary Education (Head
Quarter) Tonk

-----Respondents

For Petitioner(s) : Mr. Laxmi Kant Malpura
For Respondent(s) :

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN
Order

09/12/2025

1. Instant writ petition is preferred by petitioner with following
prayer:

*"By an appropriate writ, order and direction in the
nature thereof the respondents may kindly be
directed to pay salary of summer vacation will all
consequential benefits and emoluments and arrear
with 18% interest from due date to date of payment.
Any other relief as this Hon'ble Court may deem fit
and proper be also passed in favour of the
petitioner."*

2. Learned counsel for petitioner while referring and relying
upon **judgment dated 09.07.2024 in S.B. Civil Writ Petition
No.9346/2024 titled as Nisha Phalswal & Anr. Vs. State of
Rajasthan & 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 **Yogesh Kumar Pareek Vs. The State of Rajasthan & Ors.: SB CWP No.3534/2009**. 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 in light of **Nisha Phalswal (supra)**.

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 consider and decide the representation in light of ratio laid down in case of **Yogesh Kumar Pareek (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 his representation. If the petitioner is still aggrieved, he 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