

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 26895/2018

Smt Mamta Devi W/o Govind Dhamani, Aged About 60 Years,
R/o Near Ganesh Pole, Machadi Chowk, Rajgarh, District Alwar.

-----Petitioner

Versus

- 1 State Of Rajasthan, Through Principal Secretary, Rural Development And Panchayati Raj Department, Govt. Of Rajasthan, Secretariat, Jaipur.
- 2 Director, Pension And Pensioners Welfare Department, Jyoti Nagar, Jaipur.
- 3 Block Development Officer, Panchayati Samiti Raini District Alwar.

-----Respondents

For Petitioner(s)	:	Mr. Raj Kumar Sharma
For Respondent(s)	:	Mr. Prateek Saxena, AAAG& Mr. Tarun Dhankhar for Mr. Kapil Prakash Mathur, AAG

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Judgment / Order

25/02/2026

1. Instant writ petition is preferred by petitioner with following

prayer:

"It is, therefore, most respectfully prayed that your lordship may graciously be pleased to accept and allow this writ petition and call for the entire record relating to the case and after examine the same-

- i) By an appropriate writ order and direction of mandamus or in the nature thereof thereby the impugned order/letter dated 1.9.2015 sent by the respondent No.3 to the respondent No.2 may kindly be quashed and set aside.
- ii) By an appropriate writ order and direction

in the nature thereof thereby the respondents may kindly be directed to refund amount of Rs. 2,89,320/- recovered by the respondents from gratuity amount of husband of the petitioner with interest

iii) Any other relief which this Hon'ble Court deems just and proper in the facts and circumstances of the case may also be given in favour of the petitioner."

2. Learned counsel for petitioner while referring and relying upon **judgment dated 09.11.2016 in S.B. Civil Writ Petition No. 20857/2013** titled as **Prabhu Singh Chauhan Vs. State of Rajasthan and Anr.** submits that the controversy and the issue raised herein is already settled by a Co-ordinate Bench of this Hon'ble Court. 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 **Prabhu Singh Chauhan Vs. State of Rajasthan and Anr. (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 decide the representation in light of ratio laid down in case of **Prabhu Singh Chauhan Vs. State of Rajasthan and Anr. (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 to the petitioner.
6. With the aforesaid directions, the present writ petition with pending application, if any, stands disposed of.

(ASHOK KUMAR JAIN),J