



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 16971 / 2017

Dhularam Sarel Son of Shri Deva Sarel, Aged About 35 Years, By
Caste Sarel, Resident of VPO Jhanjharwa Kala, Tehsil Gangartalai,
District- Banswara.

----Petitioner

Versus

1. State of Rajasthan Through the Secretary, Department of Education, Government of Rajasthan, Secretariat, Jaipur.
2. Secretary, Rural Development and Panchayati Raj Department, Government of Rajasthan, Secretariat, Jaipur.
3. Director, Elementary Education, Government of Rajasthan, Bikaner.
4. Zila Parishad, Banswara Through the Chief Executive Officer.
5. Zila Parishad, Dungarpur Through the Chief Executive Officer.
6. Zila Parishad, Udaipur, Through the Chief Executive Officer.
7. Zila Parishad, Pratapgarh, Through the Chief Executive Officer.

----Respondents

For Petitioner(s) : Mr.Ramdev Potalia

For Respondent(s) : Ms.Deepika Purohit for Mr.P.R.Singh AAG

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

20/12/2017

1. This writ petition under Article 226 of the Constitution of India has been preferred with the following prayers:

"a. By an appropriate writ, order or direction, this petition may kindly be allowed with costs with the direction to the respondents to accept the update data in continuation of application ID of earlier



application form of the petitioner and copies of documents as hard copy in reference to the amended notification dated 11.09.2017.

b. By an appropriate writ, order or direction, the petitioner may kindly be included in the selection process of recruitment under heading "Rajasthan Primary and Upper Primary School Teacher Direct Recruitment 2016, amended and considering their higher marks in merit, he may be given appointment as Teacher Grade III (Level II) in subject English with all consequential benefits.

c. By an appropriate writ, order or direction, without including the petitioner in the selection process of Teacher Grade III (Level II) in subject English pursuant to the amended notification as well as earlier notification, the process of selection of Teacher Grade III (Level II) in reference to amended notification dated 11.09.2017 may kindly be set aside and quashed.

d. By an appropriate writ, order or direction, the process of selection initiated under amended notification dated 11.09.2017 by issuance of order dated 18.10.2017 (Ann.6) issuing the cut off marks, list of candidates for counselling issued vide order dated 24.10.2017 and letter dated 26.10.2017 (Ann.8) day to day programme of final selection including the counselling of Teacher vide Annexure-6, 7 and 8 may also kindly be set aside and quashed.

e. Any other appropriate order or direction, which this Hon'ble Court deemed just and proper be passed in favour of the petitioner.

f. Costs of this writ petition may kindly be allowed to the petitioner."





2. Learned counsel for the petitioner states that the controversy is covered by the judgment rendered by this Court in ***Farhad Banu Vs. State of Rajasthan & Ors. (S.B.Civil Writ Petition No.13986/2017 decided on 08.12.2017)***, relevant para 26 of which reads as under:

"26. Thus, in light of the aforesaid discussion, this Court allows the present writ petitions by permitting the petitioners to fill up the forms / update their information in accordance with the terms and conditions laid down in the advertisement/notification dated 11.09.2017, until 20.12.2017.

27. It is further made clear that if the petitioners do the needful on or before 20.12.2017, then the respondents shall appropriately consider them in accordance with their merit and accord them appointment alongwith all other candidates who are there in the merit completing the selection process, namely, Primary and Upper Primary School Teachers Recruitment-2016. It shall be open to the respondents to prescribe the modus operandi within next two days for allowing the petitioners to submit their application form/update their information, in consonance with the notification/advertisement dated 11.09.2017."

3. In light of the aforequoted judgment, the present writ petition is also allowed in the same terms, permitting the petitioners to fill up the forms/update their information in accordance with the terms and conditions laid down in the advertisement/notification dated 11.09.2017. However, the aforementioned order passed in ***Farhad Banu Vs. State of***



Rajasthan & Ors. (supra) required the respondents to open the website concerned for making necessary correction and filling up of the information was permitted till 20.12.2017. But it is brought to the notice of this Court that until today, the website concerned is not opened, and therefore, the candidates have not been able to fill their necessary information. This Court directs that the petitioner in this case as well as in all the other cases shall be permitted to have access to the website concerned for a period of fifteen days from the date it is opened.

(DR. PUSHPENDRA SINGH BHATI)J.

Skant/-



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