

**IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR****∴∴∴  
JUDGMENT**

1	SBCWP NO 6132/2008	VINOD KUMAR YADAV	STATE & ORS.
2	SBCWP NO 6541/2008	SANGEETA SHRIVASTAVA	STATE & ORS.
3	SBCWP NO 6601/2008	PRAVEEN YADAV	STATE & ORS.
4	SBCWP NO 6630/2008	SANTOSH KUMAR	STATE & ORS.
5	SBCWP NO 6654/2008	USHA RANI	STATE & ORS.
6	SBCWP NO 6773/2008	KOJARAM CHOUDHARY	STATE & ORS.
7	SBCWP NO 6774/2008	DEVENDRA SINGH	STATE & ORS.
8	SBCWP NO 6938/2008	PANKAJ JAIN	STATE & ORS.
9	SBCWP NO 6992/2008	SHAMSHEER AHMED	STATE & ORS.
10	SBCWP NO 7031/2008	SMT. JAYA KALAL	STATE & ORS.
11	SBCWP NO 7142/2008	SMT. GAYATRI PANDIYA	STATE & ORS.
12	SBCWP NO 7329/2008	VISHNA RAM PANWAR	STATE & ORS.
13	SBCWP NO 8368/2008	RAM GOPAL DUDI	STATE & ORS.
14	SBCWP NO 8645/2008	RAMESH KUMAR DABI	STATE & ORS.
15	SBCWP NO 8646/2008	NARAYAN DAS	STATE & ORS.
16	SBCWP NO 9283/2008	JAI PRAKASH	STATE & ORS.
17	SBCWP NO 314/2009	CHHAIL SINGH RANAWAT	STATE & ORS.
18	SBCWP NO 1938/2009	SMT. KAMALA KANWAR	STATE & ORS.
19	SBCWP NO 10051/2009	DEVI LAL	STATE & ORS.
20	SBCWP NO 10377/2009	ROOPINDER SINGH	STATE & ORS.
21	SBCWP NO 11769/2009	MAHENDRA SINGH CHUNDAWAT	STATE & ORS.
22	SBCWP NO 976/2010	UMED SINGH	STATE & ORS.
23	SBCWP NO 988/2010	HAJARI RAM PUROHIT	STATE & ORS.
24	SBCWP NO 1104/2010	PRAHLAD GARG	STATE & ORS.
25	SBCWP NO 1171/2010	VAGARAM	STATE & ORS.
26	SBCWP NO 1172/2010	VEER SINGH	STATE & ORS.
27	SBCWP NO 1177/2010	MANCHHA RAM	STATE & ORS.
28	SBCWP NO 1315/2010	MANOHAR SINGH BHAYAL & ORS.	STATE & ORS.
29	SBCWP NO 1366/2010	MAHIPAL SINGH SOLANKI	STATE & ORS.
30	SBCWP NO 1372/2010	SHRAWAN SINGH & ORS.	STATE & ORS.
31	SBCWP NO 1395/2010	MAHENDRA SINGH	STATE & ORS.
32	SBCWP NO 1414/2010	MUKESH KUMAR	STATE & ORS.
33	SBCWP NO 1445/2010	VIKRAM SINGH MERTIA	STATE & ORS.
34	SBCWP NO 1446/2010	PRAVEEN KUMAR DAVE	STATE & ORS.
35	SBCWP NO 1448/2010	DINESH KUMAR SWAMI	STATE & ORS.
36	SBCWP NO 1455/2010	RAJESH PAL	STATE & ORS.
37	SBCWP NO 1458/2010	MUKESH KUMAR SHARMA	STATE & ORS.
38	SBCWP NO 1459/2010	BABU LAL REGAR	STATE & ORS.
39	SBCWP NO 1461/2010	MANGA RAM	STATE & ORS.
40	SBCWP NO 1464/2010	SATYANARAYAN	STATE & ORS.
41	SBCWP NO 1466/2010	BHANWAR SINGH SISODIYA	STATE & ORS.
42	SBCWP NO 1469/2010	HARISH CHANDRA BUNKER	STATE & ORS.
43	SBCWP NO 1470/2010	LALIT KUMAR DAVE	STATE & ORS.
44	SBCWP NO 1471/2010	GOTAMLAL TABIYAR	STATE & ORS.
45	SBCWP NO 1472/2010	VIPUL DAVE	STATE & ORS.
46	SBCWP NO 1473/2010	LALIT JAIN	STATE & ORS.





47	SBCWP NO 1474/2010	SHIV DAN SINGH	STATE & ORS.
48	SBCWP NO 1476/2010	RAM KISHORE VYAS	STATE & ORS.
49	SBCWP NO 1477/2010	RENUKA KUMARI SHUKLA	STATE & ORS.
50	SBCWP NO 1484/2010	SANWALA RAM	STATE & ORS.
51	SBCWP NO 1485/2010	ISHWAR SINGH DEORA & ORS.	STATE & ORS.
52	SBCWP NO 1486/2010	RAKESH PARASHAR & ANR.	STATE & ORS.
53	SBCWP NO 1487/2010	SUKH RAM KUMHAR	STATE & ORS.
54	SBCWP NO 1488/2010	RAMAN PATEL	STATE & ORS.
55	SBCWP NO 1489/2010	LOKESH JOSHI	STATE & ORS.
56	SBCWP NO 1490/2010	DEEPAK PANDYA	STATE & ORS.
57	SBCWP NO 1491/2010	NIRAJ DAVE	STATE & ORS.
58	SBCWP NO 1492/2010	AYYUB KHAN PATHAN	STATE & ORS.
59	SBCWP NO 1493/2010	RATAN LAL KHAT	STATE & ORS.
60	SBCWP NO 1494/2010	RAJENDRA PRASAD	STATE & ORS.
61	SBCWP NO 1495/2010	DEVI LAL PANCHAL	STATE & ORS.
62	SBCWP NO 1496/2010	KACHRULAL DAMO	STATE & ORS.
63	SBCWP NO 1497/2010	DILHAR SINGH	STATE & ORS.
64	SBCWP NO 1498/2010	MAHI;PAL PANCHORI	STATE & ORS.
65	SBCWP NO 1499/2010	SHANTILAL SINGAD	STATE & ORS.
66	SBCWP NO 1503/2010	SMT. SHANTA MEENA & ORS	STATE & ORS.
67	SBCWP NO 1504/2010	AMRIT LAL KHAT	STATE & ORS.
68	SBCWP NO 1506/2010	NILESH GANDHI	STATE & ORS.
69	SBCWP NO 1507/2010	PADAM SINGH	STATE & ORS.
70	SBCWP NO 1508/2010	NARENDRA SINGH DEORA	STATE & ORS.
71	SBCWP NO 1509/2010	SHARMILA JAIN	STATE & ORS.
72	SBCWP NO 1513/2010	SUNIL VYAS	STATE & ORS.
73	SBCWP NO 1514/2010	ARUN AGRAWAL	STATE & ORS.
74	SBCWP NO 1515/2010	MOHAN LAL DAMOR	STATE & ORS.
75	SBCWP NO 1516/2010	YAHAIYA KHAN PATHAN	STATE & ORS.
76	SBCWP NO 1517/2010	SUDHIR JAIN	STATE & ORS.
77	SBCWP NO 1518/2010	BHADUR SINGH	STATE & ORS.
78	SBCWP NO 1519/2010	SMT.REKHA DEVI	STATE & ORS.
79	SBCWP NO 1520/2010	CHANDRA SHEKAHR PUROHIT	STATE & ORS.
80	SBCWP NO 1521/2010	SANJAY KUMAR PUROHIT	STATE & ORS.
81	SBCWP NO 1522/2010	LALI T KUMAR VYAS	STATE & ORS.
82	SBCWP NO 1523/2010	KAILASH KUMAR CHOBISA	STATE & ORS.
83	SBCWP NO 1524/2010	SATYA NARAYAN SHARMA	STATE & ORS.
84	SBCWP NO 1525/2010	MASTAN SINGH	STATE & ORS.
85	SBCWP NO 1526/2010	HET RAM	STATE & ORS.
86	SBCWP NO 1527/2010	MAHENDRA SINGH & ANR	STATE & ORS.
87	SBCWP NO 1528/2010	RAM SUKH & ANR.	STATE & ORS.
88	SBCWP NO 1529/2010	SINGH ALKA BAHADUR	STATE & ORS.
89	SBCWP NO 1531/2010	PEMA RAM	STATE & ORS.
90	SBCWP NO 1533/2010	SMT.PIMPAL SONI	STATE & ORS.
91	SBCWP NO 1534/2010	DHEERAJ MAL PANDA AND ORS	STATE & ORS.
92	SBCWP NO 1552/2010	SUNIL KUMAR &ORS.	STATE & ORS.
93	SBCWP NO 1553/2010	JEEVAN LAL MENARIYA & ORS.	STATE & ORS.
94	SBCWP NO 1556/2010	RAGHUVVEER SINGH SISODIYA	STATE & ORS.
95	SBCWP NO 1558/2010	RAJENDRA KUMAR JINGAR	STATE & ORS.
96	SBCWP NO 1565/2010	VIPIN KUMAR UPADHAYAYA & ANR	STATE & ORS.
97	SBCWP NO 1566/2010	SACHIN JAIN & ANR	STATE & ORS.
98	SBCWP NO 1567/2010	PRAKASH KALAL & ANR.	STATE & ORS.





99	SBCWP NO 1568/2010	SMT. INDRA BISHNOI & ORS	STATE & ORS.
100	SBCWP NO 1569/2010	MISS.PRAVEEN LATA CHHABRA	STATE & ORS.
101	SBCWP NO 1573/2010	SUDHARSHNA ACHARYA	STATE & ORS.
102	SBCWP NO 1575/2010	MUKESH KUMAR	STATE & ORS.
103	SBCWP NO 1576/2010	DAYALAL BHATT	STATE & ORS.
104	SBCWP NO 1577/2010	GUMAN SINGH RAWAL & ANR.	STATE & ORS.
105	SBCWP NO 1578/2010	JAGDISHCHANDRA	STATE & ORS.
106	SBCWP NO 1579/2010	MURLIDHAR PAYAK	STATE & ORS.
107	SBCWP NO 1580/2010	HANIF KHAN & ORS.	STATE & ORS.
108	SBCWP NO 1581/2010	ARJUN SINGH JODHA	STATE & ORS.
109	SBCWP NO 1585/2010	DEVA RAM	STATE & ORS.
110	SBCWP NO 1586/2010	KAN SINGH TANWAR	STATE & ORS.
111	SBCWP NO 1587/2010	VIKRAM JOSHI	STATE & ORS.
112	SBCWP NO 1588/2010	MANOJ SHARMA	STATE & ORS.
113	SBCWP NO 1589/2010	RAJIV SHAH	STATE & ORS.
114	SBCWP NO 1592/2010	RAJANI BUBBER	STATE & ORS.
115	SBCWP NO 1593/2010	PRAHLAD VAISHNAV	STATE & ORS.
116	SBCWP NO 1594/2010	RAJESH SHARMA @ RAJESH KUMAR SHARMA	STATE & ORS.
117	SBCWP NO 1595/2010	KAUSHIK DWIVEDI	STATE & ORS.
118	SBCWP NO 1596/2010	JAYESH JANI	STATE & ORS.
119	SBCWP NO 1599/2010	SUNITA	STATE & ORS.
120	SBCWP NO 1600/2010	RAJ KUMARI ARORA	STATE & ORS.
121	SBCWP NO 1601/2010	JAGDISH RAM	STATE & ORS.
122	SBCWP NO 1603/2010	KHET SINGH	STATE & ORS.
123	SBCWP NO 1635/2010	SMT. PARKASH KAUR	STATE & ORS.
124	SBCWP NO 1641/2010	MOHAN LAL DAMOR	STATE & ORS.
125	SBCWP NO 1643/2010	BHARAT SINGH KATARA	STATE & ORS.
126	SBCWP NO 1644/2010	KAMALASHANKAR DAMOR	STATE & ORS.
127	SBCWP NO 1669/2010	VALA RAM PRAJAPAT & ORS	STATE & ORS.
128	SBCWP NO 1671/2010	PUNAM CHAND	STATE & ORS.
129	SBCWP NO 1691/2010	PREM CHAND LABANA	STATE & ORS.
130	SBCWP NO 1708/2010	MEERA GODARA	STATE & ORS.
131	SBCWP NO 1709/2010	HARISH KUMAR	STATE & ORS.
132	SBCWP NO 1742/2010	RICHHPAL	STATE & ORS.
133	SBCWP NO 1779/2010	SANTOSH KUMAR	STATE & ORS.
134	SBCWP NO 1780/2010	HETRAM NAI	STATE & ORS.
135	SBCWP NO 1781/2010	DEVKARAN & ORS	STATE & ORS.
136	SBCWP NO 1782/2010	SURENDRA KUMAR	STATE & ORS.
137	SBCWP NO 1783/2010	RAMNIWASH DUKIA	STATE & ORS.
138	SBCWP NO 1802/2010	HEMANT TRIVEDI	STATE & ORS.
139	SBCWP NO 1804/2010	DILIP MEHTA	STATE & ORS.
140	SBCWP NO 1805/2010	SMT. NISHA VYAS	STATE & ORS.
141	SBCWP NO 1811/2010	MAHIPAL SINGH RATHORE	STATE & ORS.
142	SBCWP NO 1823/2010	BABU LAL NAYAK	STATE & ORS.
143	SBCWP NO 1824/2010	NATHU SINGH NARUKA & ORS	STATE & ORS.
144	SBCWP NO 1826/2010	LALA RAM	STATE & ORS.
145	SBCWP NO 1871/2010	MOOL CHAND	STATE & ORS.
146	SBCWP NO 1884/2010	SAWANTA RAM	STATE & ORS.
147	SBCWP NO 1885/2010	RAMPAL	STATE & ORS.
148	SBCWP NO 1886/2010	SITA RAM	STATE & ORS.
149	SBCWP NO 1887/2010	CHHOTA RAM	STATE & ORS.
150	SBCWP NO 1888/2010	RAJANI JOSHI	STATE & ORS.





151 SBCWP NO 1909/2010	PEERA RAM & ORS.	STATE & ORS.
152 SBCWP NO 1912/2010	ANIL KUMAR SHARMA	STATE & ORS.
153 SBCWP NO 1913/2010	PARMESHVAR SINGH	STATE & ORS.
154 SBCWP NO 1914/2010	CHANDRA SINGH LAKHAWAT	STATE & ORS.
155 SBCWP NO 1915/2010	MANSA RAM	STATE & ORS.
156 SBCWP NO 1916/2010	BABU LAL SHARMA & ORS.	STATE & ORS.
157 SBCWP NO 1917/2010	DALURAM SEJU	STATE & ORS.
158 SBCWP NO 1918/2010	BHANWAR SINGH CHUNDAWAT & ORS	STATE & ORS.
159 SBCWP NO 1919/2010	JITENDRA KUMAR MEHTA	STATE & ORS.
160 SBCWP NO 1920/2010	RAJENDRA KUMAR CHOUBISA	STATE & ORS.
161 SBCWP NO 1922/2010	SMT. SANGEETA VAISHNAV	STATE & ORS.
162 SBCWP NO 1923/2010	KRISHNA KUMAR	STATE & ORS.
163 SBCWP NO 1924/2010	NARESH KUMAR CHOUBISA	STATE & ORS.
164 SBCWP NO 1925/2010	UMESH CHALANA	STATE & ORS.
165 SBCWP NO 1928/2010	URMILA	STATE & ORS.
166 SBCWP NO 1931/2010	SMT. SURYAKANTA DAVE	STATE & ORS.
167 SBCWP NO 1932/2010	JASWANT KUMAR PANDOR	STATE & ORS.
168 SBCWP NO 1935/2010	MANJU ARORA	STATE & ORS.
169 SBCWP NO 1937/2010	MANSUKH SHRIMALI	STATE & ORS.
170 SBCWP NO 1938/2010	SATYA NARAYAN SEN	STATE & ORS.
171 SBCWP NO 1944/2010	GIRDHARI LAL SADH	STATE & ORS.
172 SBCWP NO 1945/2010	ABHILASH SHARMA	STATE & ORS.
173 SBCWP NO 1946/2010	SMT. BALJEET BAGGA	STATE & ORS.
174 SBCWP NO 1949/2010	SEEMA	STATE & ORS.
175 SBCWP NO 1950/2010	PURNIMA NARANIYA	STATE & ORS.
176 SBCWP NO 1951/2010	SUBHASH SINGH	STATE & ORS.
177 SBCWP NO 1952/2010	VAKHAT RAM ASODA	STATE & ORS.
178 SBCWP NO 1971/2010	ROOP SINGH CHAMPAWAT	STATE & ORS.
179 SBCWP NO 1972/2010	MS. ITA GEHLOT	STATE & ORS.
180 SBCWP NO 1977/2010	KANIZA	STATE & ORS.
181 SBCWP NO 1978/2010	KESA RAM	STATE & ORS.
182 SBCWP NO 1979/2010	REWANT RAM	STATE & ORS.
183 SBCWP NO 1980/2010	SHIV SHANKAR MEGHWAL	STATE & ORS.
184 SBCWP NO 1981/2010	ABDUL WAHID	STATE & ORS.
185 SBCWP NO 1991/2010	SUBHKARAN SHARMA	STATE & ORS.
186 SBCWP NO 1992/2010	DAI RAM	STATE & ORS.
187 SBCWP NO 1993/2010	AMAR SINGH	STATE & ORS.
188 SBCWP NO 1996/2010	MAHAVEER SINGH	STATE & ORS.
189 SBCWP NO 1999/2010	SMT. SAROJ	STATE & ORS.
190 SBCWP NO 2000/2010	BANSHI LAL	STATE & ORS.
191 SBCWP NO 2002/2010	HANUTARAM MEGHWAL	STATE & ORS.
192 SBCWP NO 2010/2010	CHARAN SINGH	STATE & ORS.
193 SBCWP NO 2011/2010	ARVIND KUMAR GARASIYA	STATE & ORS.
194 SBCWP NO 2012/2010	SUNITA SHARMA	STATE & ORS.
195 SBCWP NO 2013/2010	DAMI & ANR	STATE & ORS.
196 SBCWP NO 2014/2010	NAVNEET KUMAR VISHVKARMA	STATE & ORS.
197 SBCWP NO 2015/2010	SMT. MADHU DADHICH	STATE & ORS.
198 SBCWP NO 2019/2010	LOKESH JOSHI	STATE & ORS.
199 SBCWP NO 2021/2010	SUNIL KUMAR BENIWAL	STATE & ORS.
200 SBCWP NO 2022/2010	CHENA RAM	STATE & ORS.
201 SBCWP NO 2023/2010	LAXMAN SINGH	STATE & ORS.
202 SBCWP NO 2024/2010	SANJU BALA SHARMA	STATE & ORS.





203 SBCWP NO 2035/2010	MAMTA SHARMA	STATE & ORS.
204 SBCWP NO 2040/2010	GANGA RAM	STATE & ORS.
205 SBCWP NO 2043/2010	JAGNATH RAM	STATE & ORS.
206 SBCWP NO 2047/2010	DURGA DAN CHARAN & ORS	STATE & ORS.
207 SBCWP NO 2048/2010	RAM PRAKASH CHOUDHARY & ORS	STATE & ORS.
208 SBCWP NO 2137/2010	SMT. SARLA DEVI	STATE & ORS.
209 SBCWP NO 2170/2010	ASHOK KUMAR PARASHAR	STATE & ORS.
210 SBCWP NO 2300/2010	SHIV PRASAD PAREEK	STATE & ORS.
211 SBCWP NO 2323/2010	SUBHASH CHAND KADALA	STATE & ORS.
212 SBCWP NO 2387/2010	ANJU BALA	STATE & ORS.
213 SBCWP NO 2388/2010	SHIMLA DEVI	STATE & ORS.
214 SBCWP NO 2446/2010	ANITA TRIVEDI	STATE & ORS.
215 SBCWP NO 2447/2010	SMT. BHAGWANTI NAGDA	STATE & ORS.
216 SBCWP NO 2448/2010	SMT. ANITA KOTHARI	STATE & ORS.
217 SBCWP NO 6820/2008	PREETI CHOUHAN	STATE & ORS.
218 SBCWP NO 5909/2008	PADAM DAS VAISHNAV	STATE & ORS.
219 SBCWP NO 7030/2008	VIJAY PAL	STATE & ORS.
220 SBCWP NO 7373/2008	CHHOTU SINGH	STATE & ORS.
221 SBCWP NO 8380/2008	CHAMPA LAL SHARMA	STATE & ORS.
222 SBCWP NO 3033/2009	CHANDRA SHEKHAR & ORS	STATE & ORS.
223 SBCWP NO 10913/2009	PRAKASH SINGH	STATE & ORS.
224 SBCWP NO 6387/2008	DEVKINANDAN PUROHIT	STATE & ORS.
225 SBCWP NO 2167/2010	REKHA RANI	STATE & ORS.
226 SBCWP NO 2179/2108	PANKAJ KUMAR PANDYA	STATE & ORS.
227 SBCWP NO 2223/2010	MALA RAM	STATE & ORS.
228 SBCWP NO 2224/2010	BHURA RAM	STATE & ORS.
229 SBCWP NO 2286/2010	AMRIT LAL RAO	STATE & ORS.
230 SBCWP NO 2287/2010	KESRI MAL SHARMA	STATE & ORS.
231 SBCWP NO 2288/2010	SMT. RADHA SOLANKI	STATE & ORS.
232 SBCWP NO 2293/2010	GOPAL SINGH RAO	STATE & ORS.
233 SBCWP NO 2311/2010	PARUL MAHESHWARI	STATE & ORS.
234 SBCWP NO 2337/2010	GAJENDRA SINGH	STATE & ORS.
235 SBCWP NO 2343/2010	ARJUN SINGH & ORS.	STATE & ORS.
236 SBCWP NO 2354/2010	AJAY KUMAR	STATE & ORS.
237 SBCWP NO 2355/2010	BALWAN SINGH	STATE & ORS.
238 SBCWP NO 2166/2010	SMT. MANJU CHAUHAN & ORS.	STATE & ORS.
239 SBCWP NO 2180/2010	KAILASH CHANDRA PALIWAL	STATE & ORS.
240 SBCWP NO 2184/2010	MANJULA BHUDRA	STATE & ORS.
241 SBCWP NO 2208/2010	KESU LAL KHOKHARIYA	STATE & ORS.
242 SBCWP NO 2298/2010	JAYANTI LAL NAI	STATE & ORS.
243 SBCWP NO 2299/2010	AMAR CHAND	STATE & ORS.
244 SBCWP NO 2376/2010	PARMA RAM	STATE & ORS.
245 SBCWP NO 2377/2010	RATNA RAM	STATE & ORS.
246 SBCWP NO 2378/2010	RAJESH LEGA	STATE & ORS.
247 SBCWP NO 1409/2010	NATHU SINGH RANAWAT	STATE & ORS.
248 SBCWP NO 1410/2010	HARISH KUMAR PURBIYA	STATE & ORS.
249 SBCWP NO 2138/2010	KANIJ FATIMA	STATE & ORS.
250 SBCWP NO 2141/2010	NAHAR SINGH MEENA	STATE & ORS.
251 SBCWP NO 2142/2010	SADA RAM	STATE & ORS.
252 SBCWP NO 6896/2008	PARMA RAM	STATE & ORS.
253 SBCWP NO 8113/2008	CHANDAN SINGH	STATE & ORS.





**Date of Order dated 10.3.2010**

**HON'BLE MR. PRAKASH TATIA, J.**

S/Sh.Shyam Singh Khatri, BB Singh, Mukesh Rajpurohit, PS Chudawat, Rajesh Choudhary, Kishan Bansal, ML Khatri, RS Charan, Manish Pitalia, MA Siddiqui, Harish Purohit, NR Choudhary, Pradeep Shah, Dharendra Singh, VK Sharma, TS Champawat, BS Deora, Rajesh Shah, PS Bhati, RC Joshi, HS Sidhu, CP Trivedi, Arjun Purohit, LS Jodha, Sandeep Saruparia, Sanjeet Purohit, SR Choudhary, GR Bhari, Mahendra Trivedi, RDS Sidhu, SKM Vyas, Moti Singh, SS Rathore, Sambhoo Singh, Bharat Srimali, Vinod Choudhary, BS Sandhu, AD Charan, VR Choudhary, KC Choudhary, PR Mehta, Bharat Devasi, RP Singaria, HR Rawal, IJ Yadav, CS Kotwani, MS Udawat, PP Choudhary, Mahendra Vishnoi, RS Mankad, Vinay Srivastava, Vinay Jain, Kuldeep Mathur, Sardul Vishnoi, P. Nayak, Rakesh Matoria, Rohitash Singh, Sajjan Singh, Rajesh Saharan, RD Potalia, TR Choudhary, HR Chawala, RS Saluja, GJ Gupta, Rajat Dave, AK Gaur, Ramesh Purohit, RS Choudhary, Ravindra Paliwal, JP Swami, HS Choudhary, Aruna Negi, PD Vaishnava, PR Singh, Vineet Dave, Dron Kaushik, Sachin Acharaya, SK Punia, MP Pareek, Sudheer Sharma and BN Kalla for the petitioner(s).

Mr.RL Jangid, Addl. Advocate General with Mr.Rajesh Bhati and Mr.Nimesh Suthar for the respondent-State.

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Learned counsel for the petitioners submitted that the controversy involved in these writ petitions has already been



decided by the Coordinate Bench of this Court vide judgment dated 27.1.2010 delivered in SBCWP No.8497/2008 Manglaram & Ors. Vs. STATEasthan & Ors. which was decided with other connected writ petitions. It is submitted by learned counsel for the petitioners that the present writ petitions may also be decided in the light of the decision dated 27.1.2010 and same directions may be issued.

Learned counsel for the State submitted that there are several objections which are (i) the person who gave birth to child after cut off date and who had two children already is not an eligible candidate, (ii) some of the candidates were lacking experience, (iii) some of the candidates were over age and (iv) some of the candidates claimed benefit on the basis of their experience of working as Prerak. So far as other cases are concerned, the similar directions can be issued in the light of the decision given in judgment dated 27.1.2010.

Learned counsel for the petitioners submitted that in fact there is no necessity to go into all above objections in view of the direction no.2 given by the Coordinate Bench of this Court in the judgment dated 27.1.2010, which clearly provides that those petitioners who are not found to be eligible for any other reason then reasons may be assigned and be communicated to each of the petitioner so that if he feels aggrieved, he may avail the remedy under the law obviously for redressal of his grievance. It





is also submitted that for completion of process three month's time has already been granted by the order of this court dated 27.1.2010. Therefore, all these writ petitions may also be disposed of wherein the above objections of State are there.

I considered the submissions of learned counsel for the parties and in view of the fact that this court has already decided the controversy and issued directions to the respondents, therefore, these writ petitions are also disposed of in terms of the said judgment dated 27.1.2010 and it is made clear that the State Government's any plea that candidature was rejected on the ground of birth of child after cut off date to a candidate who had two children already, the candidature was rejected on the ground of lack of experience required, the candidate was over age and the candidate could not have been given relief because the experience gained while serving as Prerak is not fulfilling the requisite qualification for the appointment to the post of Prabodak are also the reasons already included in the directions issued by this Court in judgment dated 27.1.2010 in second direction. Therefore and otherwise also, there is no reason to deny opportunity to the petitioners for submitting their representation with respect to any objection referred above also so that their objection can be decided by the respondents in accordance with rules applicable for the purpose of giving appointment on the post of Prabodak.





Hundreds of writ petitions have been decided by this Court (Jaipur Bench) by order dated 27.1.2010 passed in SBCWP No.4053/2008 (Bhupesh Kumar & Ors. vs. STATE. & Ors.) along with 197 connected writ petitions and following that decision, this Court (by me) also allowed hundreds of writ petitions by various orders, one of the orders being order dated 10.2.2010 passed in SBCWP No.930/2010 (Mahendra Singh Solanki vs. State & Ors.).

After the judgment dated 27.1.2010 delivered in the case of Bhupesh Kumar (supra), there were some doubts in the mind of the respondents, therefore, it was clarified that all objections which could have been about the candidature of any of the petitioner may also be examined by the concerned authority which is already covered in para no.2 of the directions issued in the judgment dated 27.1.2010 and was made clear further in the judgment dated 10.2.2010.

However, learned AAG Mr.RL Jangid submits that during this process, the concerned authority is required to examine the genuineness of the documents as well as will have to examine the effect of various judgments and it will be difficult for the concerned authority to interpret the judgments. It is also submitted that some of the petitioners may have filed different documents in the writ petition itself than the documents which have been submitted before the concerned authority for obtaining the appointment on the post of Prabhodhak.





Since some of the judgments have already been referred in the judgment dated 27.1.2010 and have been quoted also making the legal position clear, therefore, there cannot be any difficulty for the concerned authority in following the decisions of this Court referred above and also the decisions which have been passed subsequently, if produced by the candidate, if his case is covered by any other judgment.

So far as genuineness of the documents is concerned, that is to be examined by the authority concerned and otherwise also, that is the duty of the concerned authority before giving any appointment. The documents which have already been submitted along with the application for appointment shall be considered by the authority concerned and he may also look into the genuineness of the documents and for that purpose, this Court do not find any reason to issue directions to the concerned authority and at the cost of repetition, it is stated that in every case of appointment, it is the duty of the concerned authority to examine all the relevant documents before giving appointment in Government service. Therefore, this issue can be well examined by the concerned authority case wise instead of deciding these questions of facts here in writ jurisdiction straightaway as in the writ petitions, photostat copies of the documents are filed wherein there may be some misprint or discrepancy and the officer may look into the original documents to find out the





genuineness of the documents.

It is also made clear that the directions issued in the judgments dated 27.1.2010 and subsequently directing the respondents to consider the candidature of the petitioners, apply to those candidates who submitted their applications in time pursuant to the advertisement dated 31.5.2008.



In view of the above reasons, these writ petitions are disposed of in terms of the same directions as given in judgment dated 27.1.2010 and it is made clear that the petitioners will be free to submit their representation within a period of two week's time so that the entire exercise may be completed within the time granted by the judgment dated 27.1.2010. Directions as given in judgment dated 27.1.2010:

- (i) Respondents are directed to first prepare list of writ petitioners whose applications were received by the respondents in respective districts, and who were not called for interview for the reasons that there was summer break resulting in discontinuance of experience for five years, or experience certificate has not been verified, may be called for interview and this exercise be completed within two months; and simultaneously, petitioners may also contact the office of the concerned authority; and
- (ii) such of petitioners who are not found to be eligible for any other reason, may be assigned and communicated to each of them, to which if he feels



*aggrieved, will be free to avail of remedy under the law.*

*(iii) After completion of exercise referred to in para (i) &(ii) (supra), further process be initiated for finalizing merit list of respective districts and such petitioners may be considered for appointment if find place in order of merit in their respective district against advertised vacancies including those duly revised by subsequent corrigendum to advertisement dated 31.5.2008, within a period of three months thereafter in accordance with Rules, 2008 and in the light of judgments of this court (supra).*

**[PRAKASH TATIA], J.**

mlt/s.phophalia/cpgoyal



**S.B. CIVIL WRIT PETITION NO.****Date of Order dated 10.3.2010****HON'BLE MR. PRAKASH TATIA, J.**

S/Sh.Shyam Singh Khatri, BB Singh, Mukesh Rajpurohit, PS Chudawat, Rajesh Choudhary, Kishan Bansal, ML Khatri, RS Charan, Manish Pitalia, MA Siddiqui, Harish Purohit, NR Choudhary, Pradeep Shah, Dharendra Singh, VK Sharma, TS Champawat, BS Deora, Rajesh Shah, PS Bhati, RC Joshi, HS Sidhu, CP Trivedi, Arjun Purohit, LS Jodha, Sandeep Saruparia, Sanjeet Purohit, SR Choudhary, GR Bhari, Mahendra Trivedi, RDS Sidhu, SKM Vyas, Moti Singh, SS Rathore, Sambhoo Singh, Bharat Srimali, Vinod Choudhary, BS Sandhu, AD Charan, VR Choudhary, KC Choudhary, PR Mehta, Bharat Devasi, RP Singaria, HR Rawal, IJ Yadav, CS Kotwani, MS Udawat, PP Choudhary, Mahendra Vishnoi, RS Mankad, Vinay Srivastava, Vinay Jain, Kuldeep Mathur, Sardul Vishnoi, P. Nayak, Rakesh Matoria, Rohitash Singh, Sajjan Singh, Rajesh Saharan, RD Potalia, TR Choudhary, HR Chawala, RS Saluja, GJ Gupta, Rajat Dave, AK Gaur, Ramesh Purohit, RS Choudhary, Ravindra Paliwal, JP Swami, HS Choudhary, Aruna Negi, PD Vaishnava, PR Singh, Vineet Dave, Dron Kaushik, Sachin Acharaya, SK Punia, MP Pareek, Sudheer Sharma and BN Kalla for the petitioner(s).

Mr.RL Jangid, Addl. Advocate General with Mr.Rajesh Bhati and Mr.Nimesh Suthar for the respondent-State. .

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This writ petition is disposed of. [see separate judgment in SBCWP No.6132/2008- Vinod Kumar Yadav Vs. STATE. & Ors., decided today itself, i.e., 10.3.2010.

By order

Court Master.

