

Rajasthan High Court

Usha Kumari &Ors vs State Of Raj & Ors on 11 February, 2010

In the High Court of Judicature for Rajasthan
Jaipur Bench
**

Civil Writ Petition No.11642/2009 Usha Kumari & Ors Versus State & Ors.

Date of Order ::: 11/02/10

Hon'ble Mr. Justice Ajay Rastogi

Mr. Anoop Dhand, for petitioners
Mr. SN Kumawat, AAG and for respondent PSC
Mr. Ganesh Meena, Govt. Counsel for respondents

Grievance of petitioner is that despite vacancies duly advertised being available with the respondents, and despite their name finds place in the order of merit, still has not been considered for appointment.

Counsel submits that issue raised in instant petition has been examined by this Court vide judgment dt.01/12/09 in CWP-4728/2008 & (6) other cognate matters (Naveen Kr. Sharma & Ors. Vs. State), whereby it has been directed ad infra:

Consequently, all these writ petitions are disposed of with the direction to the respondents to consider candidature of petitioners for appointment on the post of Teacher (Primary & Upper Primary Schools) on the basis of their selection made pursuant to advertisement dt.30/10/06 strictly in order of merit as per statement (supra) against available vacancies other than reserved for TSP area; and in case either of petitioners does not find place in order of merit in respective category for appointment, respondents shall inform each of them about his placement and reasons for which he could not be held eligible for appointment. Compliance be made within two months. No order as to costs.

However, this fact could not have been controverted that the petition relate to process of selection initiated by respondents in pursuance of advertisement dt.30/10/2006 held for the post of Teacher (Primary & Upper Primary Schools) under Rajasthan Panchayatiraj Rules, 1996 (Rules, 1996). As regards judgment (supra), it has not been disputed by Government Counsel about controversy being decided by this Court.

This Court has already observed that if vacancies are available, the same be filled up in the order of merit. Individual merit of writ petitioners has not been examined by this Court. In the light of what has been observed (supra) in CWP-4728/08, instant writ petition stands disposed of. No order as to

costs.

(Ajay Rastogi), J.

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