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Basanti Vs. State and Ors

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Court : Rajasthan Jodhpur

Decided On : Apr-19-2015

Appellant : Basanti

Respondent : State and Ors

Judgement :

1 IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER
S.B.CIVIL WRIT PETITION NO.2522/2015 (Sohan Kanwar Naruka & ORS.versus State of Rajasthan & Ors.) and the annexed schedule.

Date of Order :: 20-04-2015 HONBLE Ms.JUSTICE NIRMALJIT KAUR Dr.

Nupur Bhati, Mr.Arjun Purohit, Mr.Kailash Jangid, Mr.B.S.Deora, Mr.I.R.Choudhary, Mr.V.R.Choudhary, Mr.Tanwar Singh, Mr.Vikram Singh Rathore, Mr.V.N.Kalla, Mr.Ramniwas Choudhary, Mr.Shree Kant Verma, Mr.Bhupendra Singh, Mr.M.S.Godara, Mr.Rajendra Singh, Mr.Parikshit Nayak, Sukesh Bhati, Arvind Shrimali, Pradeep Choudhary, V.N.Kalla, V.R.Choudhary, Vikas Bijarnia, Sushil Solanki, K.R.Saharan, Vijendra Puri, Mohd.

Shakir Khan, Ramdev Potali, R.S.Mankad, B.S.Tanwar, H.S.Sidhu, Ajeet Daiya, Rajendra Singh, S.D.Goswami, Nikhil Dungawat, D.S.Sodha, Khet Singh, JVS Deora, Rakesh Matoria, L.K.Ramdhari, Manish Dadhich, Mahendra Trivedi, N.R.Choudhary, Siddharth Karwasra, Kuldeep Mathur, LS Jodha, Awar Dan

Ujjwal, Om Rajpurohit,Kishan Bansal, Dilip Sharma, P.R.Mehta, Jog Singh, Dron Kaushik, DS Thind, Manvendra Krishan, Vishal Jangid, TC Sharma, RS Choudhary, for the respective petitioneRs.Mr.S.S.Ladrecha, Addl.

Advocate General with Mr.Vikas Choudhary, counsel for the respondents-State.

Mr.Arun Kumar Purohit, C.E.O., Zila Parishad Jodhpur.

Nirmaljit Kaur, J.

(Oral).All the above writ petitions shall stand disposed of by a common order as the issue involved is identical.

2 After hearing the learned counsel for the parties at length, this Court had passed certain interim directions vide order dated 19.3.2015.

However, meanwhile a detailed reply was filed by the respondents in SBCWP No.3247/2015 pending before the learned Single Bench of the Rajasthan High Court at Jaipur Bench involving the identical dispute with respect to the candidates who are not having 60% marks in RTET.

The learned Single Bench disposed of SBCWP No.3247/2015 and other connected matters vide order dated 1.4.2015 as under:- The learned counsels for the petitioners have not disputed the above stated facts mentioned in the reply filed by the respondents.

They have also not disputed that as per the decision of the Division Bench which is under challenge before the Supreme Court, the petitioners are not eligible to be considered for the posts of Teacher Gr.III (Level I and II).they having possessed less than 60% marks in RTET.

In the opinion of the Court, the respondents therefore were justified in issuing the press notes calling only those candidates who had secured 60% or more marks in RTET, for verification of the documents.

It is pertinent to note that the respondents have prepared the merit lists in question for the appointment on the post of Teacher Gr.III(Level I and II) for various subjects, subject to the final outcome of the SLP, which is pending before the Apex Court, and accordingly have also reserved the posts for the candidates falling in above stated category 'Y' and 'Z', at the relevant place in the merit list, securing their rights, if the decision of the Apex Court ultimately is found to be beneficial to them.

In view of the above, it is directed that the respondents shall be at liberty to proceed further with the selection and appointment of those meritorious candidates, who have secured 60% or more marks in RTET, which appointments will be subject to the final outcome of the decision of the 3 Apex Court in SLP No.23178-23182/2013.

It is clarified that if the candidates belonging to the 'Y' and 'Z' categories stated hereinabove are found eligible as per the decision of the Apex Court in SLP referred above, they shall be given notional benefits including the benefit of seniority, but not the monetary benefits.

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In view of the above, the present petitions are also disposed of in the same terms as SBCWP No.3247/2015.

(NIRMALJIT KAUR).J.

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2.

S.B.CIVIL WRIT PETITION NO.613/2015 (Parmeshwari Choudhary versus State of Rajasthan & Ors.) 3.

S.B.CIVIL WRIT PETITION NO.2548/2015 (Richa Yadav versus State of Rajasthan & Ors.) 4.

S.B.CIVIL WRIT PETITION NO.2561/2015 (Prakash Chandra versus State of Rajasthan & Ors.) 5.

S.B.CIVIL WRIT PETITION NO.2591/2015 (Mahesh Kumar & Anr.

versus State of Rajasthan & Ors.) 6.

S.B.CIVIL WRIT PETITION NO.2592/2015 (Kusum Lakhera versus State of Rajasthan & Ors.) 7.

S.B.CIVIL WRIT PETITION NO.2594/2015 (Naresh Tailor & ORS.versus State of Rajasthan & Ors.) 8.

S.B.CIVIL WRIT PETITION NO.2595/2015 (Rewanta Ram versus State of Rajasthan & Ors.) 9.

S.B.CIVIL WRIT PETITION NO.2606/2015 (Pooja & ORS.versus State of Rajasthan & Ors.) 10.S.B.CIVIL WRIT PETITION NO.2608/2015 (Sharda Kaswan versus State of Rajasthan & Ors.) 11.S.B.CIVIL WRIT PETITION NO.2611/2015 (Brijesh Kumar & ORS.versus State of Rajasthan & Ors.) 12.S.B.CIVIL WRIT PETITION NO.2614/2015 (Shyamsundar versus State of Rajasthan & Ors.) 13.S.B.CIVIL WRIT PETITION NO.2618/2015 (Sunita versus State of Rajasthan & Ors.) 14.S.B.CIVIL WRIT PETITION NO.2619/2015 (Durgesh Soni versus State of Rajasthan & Ors.) 15.S.B.CIVIL WRIT PETITION NO.2620/2015 (Jaipal Bishnoi versus State of Rajasthan & Ors.) 16.S.B.CIVIL WRIT PETITION NO.2623/2015 (Smt.

Girija Charan versus State of Rajasthan & Ors.) 17.S.B.CIVIL WRIT PETITION NO.2625/2015 (Manjula versus State of Rajasthan & Ors.) 5 18.S.B.CIVIL WRIT PETITION NO.2626/2015 (Manju versus State of Rajasthan & Ors.) 19.S.B.CIVIL WRIT PETITION NO.2629/2015 (Ms.Chuki versus State of Rajasthan & Ors.) 20.S.B.CIVIL WRIT PETITION NO.2630/2015 (Paras Ram & Anr.

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Ors.) 23.S.B.CIVIL WRIT PETITION NO.2633/2015 (Rajbala Bishnoi & ORS.versus State of Rajasthan & Ors.) 24.S.B.CIVIL WRIT PETITION NO.2634/2015 (Suman Kumari & ORS.versus State of Rajasthan & Ors.) 25.S.B.CIVIL WRIT PETITION NO.2635/2015 (Ismail Ansari & ORS.versus State of Rajasthan & Ors.) 26.S.B.CIVIL WRIT PETITION NO.2636/2015 (Bhagwati Das Vaishnav versus State of Rajasthan & Ors.) 27.S.B.CIVIL WRIT PETITION NO.2637/2015 (Chhaya Pathak & ORS.versus State of Rajasthan & Ors.) 28.S.B.CIVIL WRIT PETITION NO.2640/2015 (Sandeep Parashar versus State of Rajasthan & Ors.) 29.S.B.CIVIL WRIT PETITION NO.2641/2015 (Devendra Kumar Patel & ORS.versus State of Rajasthan & Ors.) 30.S.B.CIVIL WRIT PETITION NO.2642/2015 (Satveer Kour versus State of Rajasthan & Ors.) 31.S.B.CIVIL WRIT PETITION NO.2644/2015 (Mahendra Kumar & ORS.versus State of Rajasthan & Ors.) 32.S.B.CIVIL WRIT PETITION NO.2645/2015 (Anil Maru & Anr.

versus State of Rajasthan & Ors.) 33.S.B.CIVIL WRIT PETITION NO.2646/2015 (Arjun Lal Kalal & ORS.versus State of Rajasthan & Ors.) 34.S.B.CIVIL WRIT PETITION NO.2647/2015 6 (Hukam Singh Deora & ORS.versus State of Rajasthan & Ors.) 35.S.B.CIVIL WRIT PETITION NO.2648/2015 (Hans Kor versus State of Rajasthan & Ors.) 36.S.B.CIVIL WRIT PETITION NO.2649/2015 (Wasim Akram & Anr.

versus State of Rajasthan & Ors.) 37.S.B.CIVIL WRIT PETITION NO.2650/2015 (Abdul Mohammed & Anr.

versus State of Rajasthan & Ors.) 38.S.B.CIVIL WRIT PETITION NO.2653/2015 (Jagdish Chandra Bhanbhi & ORS.versus State of Rajasthan & Ors.) 39.S.B.CIVIL WRIT PETITION NO.2654/2015 (Reena Patidar & Anr.

versus State of Rajasthan & Ors.) 40.S.B.CIVIL WRIT PETITION NO.2655/2015 (Om Prakash & Anr.

versus State of Rajasthan & Ors.) 41.S.B.CIVIL WRIT PETITION NO.2661/2015 (Smt.

Rajani Verma versus State of Rajasthan & Ors.) 42.S.B.CIVIL WRIT PETITION NO.2662/2015 (Chandra Prakash Panwar & ORS.versus State of Rajasthan & Ors.) 43.S.B.CIVIL WRIT PETITION NO.2665/2015 (Prabhu Lal Jat versus State of Rajasthan & Ors.) 44.S.B.CIVIL WRIT PETITION NO.2669/2015 (Sonali Sharma versus State of Rajasthan & Ors.) 45.S.B.CIVIL WRIT PETITION NO.2670/2015 (Vishnu Dutt & ORS.versus State of Rajasthan & Ors.) 46.S.B.CIVIL WRIT PETITION NO.2671/2015 (Manish Dewel versus State of Rajasthan & Ors.) 47.S.B.CIVIL WRIT PETITION NO.2673/2015 (Prakash Chouhan versus State of Rajasthan & Ors.) 48.S.B.CIVIL WRIT PETITION NO.2674/2015 (Mamta Kumari & ORS.versus State of Rajasthan & Ors.) 49.S.B.CIVIL WRIT PETITION NO.2681/2015 (Deepika Salvi & ORS.versus State of Rajasthan & Ors.) 50.S.B.CIVIL WRIT PETITION NO.2684/2015 (Prem Lata Purbia versus State of Rajasthan & Ors.) 51.S.B.CIVIL WRIT PETITION NO.2686/2015 7 (Rajesh Kumar & ORS.versus State of Rajasthan & Ors.) 52.S.B.CIVIL WRIT PETITION NO.2706/2015 (Anil Kumar Soni versus State of Rajasthan & Ors.) 53.S.B.CIVIL WRIT PETITION NO.2707/2015 (Praveen Kumar & Anr.

versus State of Rajasthan & Ors.) 54.S.B.CIVIL WRIT PETITION NO.2708/2015 (Kumar Saurabh versus State of Rajasthan & Ors.) 55.S.B.CIVIL WRIT PETITION NO.2709/2015 (Suresh Kumar Salvi & ORS.versus State of Rajasthan & Ors.) 56.S.B.CIVIL WRIT PETITION NO.2711/2015 (Nirmala Chouhan & Anr.

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WRIT PETITION NO.3090/2015 (Manju Salvi versus State of Rajasthan & Ors.) 112.S.B.CIVIL WRIT PETITION NO.3130/2015 (Chanda Yadav versus State of Rajasthan & Ors.) 113.S.B.CIVIL WRIT PETITION NO.3132/2015 (Ghanshyam Meghwal versus State of Rajasthan & Ors.) 114.S.B.CIVIL WRIT PETITION NO.3135/2015 (Ramesh Solanki versus State of Rajasthan & Ors.) 115.S.B.CIVIL WRIT PETITION NO.3136/2015 (Shyam Singh versus State of Rajasthan & Ors.) 116.S.B.CIVIL WRIT PETITION NO.3139/2015 (Renu Patel versus State of Rajasthan & Ors.) 117.S.B.CIVIL WRIT PETITION NO.3140/2015 (Subhita Kumari versus State of Rajasthan & Ors.) 118.S.B.CIVIL WRIT PETITION NO.3142/2015 (Urmila Choudhary & Anr.

versus State of Rajasthan & Ors.) 119.S.B.CIVIL WRIT PETITION NO.3160/2015 11 (Jagdish Prashad Bagariya versus State of Rajasthan & Ors.) 120.S.B.CIVIL WRIT PETITION NO.3192/2015 (Ms.Ruchika Bhatt versus State of Rajasthan & Ors.) 121.S.B.CIVIL WRIT PETITION NO.3202/2015 (Shamim Banuversus State of Rajasthan & Ors.) 122.S.B.CIVIL WRIT PETITION NO.3204/2015 (Abhijeet Singh versus State of Rajasthan & Ors.) 123.S.B.CIVIL WRIT PETITION NO.3205/2015 (Rajkumarversus State of Rajasthan & Ors.) 124.S.B.CIVIL WRIT PETITION NO.3250/2015 (Shispal versus State of Rajasthan & Ors.) 125.S.B.CIVIL WRIT PETITION NO.3253/2015 (Dharam Pal versus State of Rajasthan & Ors.) 126.S.B.CIVIL WRIT PETITION NO.3278/2015 (Pawan Kumar Tailor & ORS.versus State of Rajasthan & Ors.) 127.S.B.CIVIL WRIT PETITION NO.3288/2015 (Shobha Devi versus State of Rajasthan & Ors.) 128.S.B.CIVIL WRIT PETITION NO.3290/2015 (Dinesh Bithu & Anr.

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versus State of Rajasthan & Ors.) 145.S.B.CIVIL WRIT PETITION NO.3680/2015 (Sandhya Tiwari versus State of Rajasthan & Ors.) 146.S.B.CIVIL WRIT PETITION NO.3691/2015 (Manisha Kumari versus State of Rajasthan & Ors.) 147.S.B.CIVIL WRIT PETITION NO.3715/2015 (Leena Bhanwara versus State of Rajasthan & Ors.) 148.S.B.CIVIL WRIT PETITION NO.3769/2015 (Mukesh Bajiya & Anr.

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