

Ram Kumar Vs. State of Rajasthan and ors.

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Court : Rajasthan

Decided On : Feb-12-2004

Reported in : RLW2004(3)Raj1659; 2004(2)WLC664

Judge : Ashok Parihar, J.

Appeal No. : S.B. Civil Writ Petition No. 2966 of 1999

Appellant : Ram Kumar

Respondent : State of Rajasthan and ors.

Advocate for Def. : Vinod Singhal and; D.V. Tholia, Advs.

Advocate for Pet/Ap. : Ajay Gupta, Adv.

Judgement :

Ashok Parihar, J.

(1). Since on similar set of facts a large number of writ petitions have been filed before this court, after hearing learned counsel for the parties, in the interest of justice I deem it proper to pass general order, which may cover all similar matters irrespective of filing writ petition before this court.

(2). Petitioner is seeking appointment to the post of Para Teacher under a scheme framed by the State Government in the name of Rajiv Gandhi Swarna Jayanti

Pathshala. No statutory rules have been framed so far. However, honorary appointments are been given under certain guidelines and circulars issued by the concerned authorities.

(3). In absence of violation of any statutory rules, in my opinion, no interference is called for by this court in such matters under its writ jurisdiction. However, this court has already granted liberty to the petitioner to make a representation to the District Collector concerned, who has further been directed to decide the representation after giving opportunity of hearing to all the parties.

(4). In case such representations have already been decided by the District Collector concerned, it is now expected from the authorities to proceed further and act as per directions of the District Collector concerned. If there are no clear directions by the District Collector, the authorities or the parties may seek further clarification from the District Collector. In case the representation, as per directions of this court, has yet not been decided by the District Collector, the same may now be decided within 30 days from the date of receipt of certified copy of this order. If the representation is not available, even otherwise, the parties may submit a fresh representation, which may be decided accordingly without referring the matter back to this court.

(5). The writ petition is disposed of accordingly.

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