

//1//

In the High Court of Judicature for Rajasthan  
Jaipur Bench

\*\*

Civil Writ Petition No.11612/2009  
Balwant Ram Godara ***Versus*** State & Ors.

**Date of Order    ::    30/11/09**

***Hon'ble Mr. Justice Ajay Rastogi***

Mr. Rajendra Soni, for petitioner

Instant petition has been filed by petitioner assailing orders dt.06/08/09 & 11/08/09 whereby promotions were made on the post of Health Officer Gr.II on the recommendations of departmental promotion committee. Indeed, it is a service matter duly covered U/s 2(f) of Rajasthan Civil Services Appellate Tribunal Act, 1976, which indisputably provides effective remedy of appeal, which petitioner has failed to avail of.

In view of statutory remedy of appeal available under the Act, 1976, this Court is not inclined to exercise its extra ordinary jurisdiction U/Art.226 of the Constitution.

However, Counsel submits that there may be delay in filing the appeal since limitation provided under the Act, 1976 has expired.

Consequently, writ petition fails and is hereby dismissed. However, petitioner will

//2//

be at liberty to avail of remedy under law;  
and in case petitioner prefers appeal within  
one month from today, the same may be treated  
within limitation and the appellate Tribunal  
may examine the dispute on merits.

**(Ajay Rastogi), J.**