

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
JAI PUR BENCH JAI PUR

JUDGMENT

(1) D. B. CIVIL SPECIAL APPEAL(WRIT) NO.
1639/2012
IN

S. B. CIVIL WRIT PETITION NO. 2979/2010

SUNITA SHARMA & ANOTHER
VS.
THE STATE OF RAJASTHAN & OTHERS

AND

(2) D. B. CIVIL SPECIAL APPEAL(WRIT) NO.
1669/2012
IN

S. B. CIVIL WRIT PETITION NO. 2785/2010

RACHNA RANI PARASHAR
VS.
THE STATE OF RAJASTHAN & OTHERS.

DATE OF JUDGMENT : 21.12.2012

HON'BLE THE ACTING CHIEF JUSTICE MR. NARENDRA KUMAR JAIN
HON'BLE DR. JUSTICE SMT. MEENA V. GOMBER

Mr. Ravi Meena on behalf of Mr. Sanjay Sharma, for the appellants.

BY THE COURT:

Heard learned counsel for the appellants.

2. Both the intra Court appeals are directed against common order dated 20th November, 2012, passed by the Single Bench, whereby writ petitions, filed by the petitioners, have been dismissed.

3. The petitioners/appellants preferred writ petitions before the Single Bench with a prayer that impugned advertisement published in daily news paper *Rashtradoot* dated 5th February, 2010 may kindly be declared arbitrary and illegal and respondents be directed to extend the services of the petitioners and not to terminate their services in the garb of aforesaid advertisement dated 5th February, 2010.

4. Learned counsel for the appellants does not dispute that he has not placed on record a copy of so-called advertisement dated 5th February, 2010 along with writ petitions. However, one document dated 3rd February, 2010 has been placed on record, whereby tender notice has been issued for appointment on the posts of Pracheta on contractual basis.

5. Submission of learned counsel for the appellants is that the appellants are working on contract basis and they are being replaced by other persons, who are being appointed on contract basis. He also submitted that contract of service of the appellants may be extended.

6. We have considered the submissions of learned counsel for the appellants,

examined the documents placed on record and also the reasons assigned by the Learned Single Judge for dismissal of the writ petitions.

7. Learned Single Judge has specifically observed in the impugned order that Additional Government Counsel appearing on behalf of the respondents specifically stated that Government of Rajasthan has taken a decision dated 10th June, 2011 to the effect that posts of Prachetas would not be filled up by the persons appointed on contract basis and the same will be filled up in accordance with existing Rules of 1994. In view of statement of Learned Additional Government Counsel, Learned Single Judge has not granted any relief to the petitioners.

8. So far as extension of services of the appellants is concerned, it is sufficient to mention that appointment of the appellants was on contract basis, therefore, no direction can be issued for extension of their services, after expiry of period of contract.

9. In these circumstances, we are of the view that reasons assigned by Learned Single Judge for dismissal of the writ petitions are absolutely legal and justified

and no interference in the same is called for in these intra Court appeals.

10. We find no merit in any of the submissions of learned counsel for the appellants. Appeals are devoid of any merit and the same are, accordingly, dismissed in limine.

11. In view of above, Stay Application Nos. 16631/2012 and 16785/2012 and I.A. Nos. 41884/2012 and 41881/2012 also stand dismissed.

12. Registry is directed to place on record a copy of this judgment in connected file.

(DR. MEENA V. GOMBER), J. (NARENDRA KUMAR JAIN), Actg. C. J.

Manoj,
S. No. S. 129 & 131.

"All corrections made in the judgment/order have been incorporated in the judgment/order being emailed."

MANOJ NARWANI
JUNIOR PERSONAL ASSISTANT.