

**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**

D.B. Civil Writs No. 20743/2017

Govind Narayan Sharma Son Of Shri Harji Ram By Caste Brahmin, Aged About 35 Years, Jaikishanpura, Tehsil-Piplu, District Tonk (Rajasthan)

----Petitioner

Versus

1. State Of Rajasthan Through The Principal Secretary, Secondary Education, Government Of Rajasthan, Secretariat, Jaipur.
2. Director, Department Of Secondary Education, Bikaner, Rajasthan.
3. District Education Officer, Tonk (Raj.)
4. District Collector, Tonk (Raj.)
5. Principal, Govt. Senior Secondary School, Kothi Natmam, Tonk (Raj.)
6. Sitaram Soni Son Of Badri Lal Soni, R/o Noshe Miya Ka Pool Ke Pass, Tonk Presently posted As Lecturer (Chemistry) In Govt. Senior Secondary School, Kothi Natmam, Tonk (Raj.)
7. Mushir Son Of Munir, Lecturer (Phsics), Residing At Sunhari Koti, Nagar Bagh, Tonk Presently posted At Govt. Senior Secondary School, Kothi Natmam, Tonk (Raj.)
8. Naveen Jain Son Of Not Known, Senior Teacher/lecturer, Presently Posted At Govt. Senior Secondary School, Kothi Natmam, Tonk (Raj.)
9. Ramsagar Meena Son Of Jagdish Meena Senior Teacher/lecturer (Mathematics), Govt. Senior Secondary School, Kothi Natmam, Tonk (Raj.)
10. Vikram Son Of Nawab Singh, Senior Teacher/lecturer (Agriculture), Govt. Senior Secondary School, Kothi Natmam, Tonk (Raj.)

----Respondents

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For Petitioner(s) : Mr. Manish Kumar Sharma

For Respondent(s) : Mr. V. Lodha with Mr. Jai Lodha  
Mr. Rajiv Surana  
Mr. N.A. Naqvi Sr. Adv. With

Mr. Nawab Ali Rathore

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**HON'BLE MR. JUSTICE G. K. VYAS  
HON'BLE MR. JUSTICE G R MOOLCHANDANI**

**Order**

**30/04/2018**

Heard learned counsel for the petitioner. This petition has been filed by a practicing lawyer in which following prayers have been made, which reads as under:-

(i) By appropriate writ/order/ direction in the nature thereof this Hon'ble Court may please to terminate the service of the respondent no. 5 to 10 with immediate effect for their illegal conduct and the respondent no.1 to 2 may be directed to appoint new teachers in place of the above teachers in the Govt. Senior Secondary School, Kothi Natmam Tonk immediately.

(ii) Any other direction which this Hon'ble Court deemed just, proper and in the interest of justice of the petitioner be issued.

It is very strange that a petition has been filed to remove the services of an employee working on substantive basis. If any misconduct is committed by him then authorities are required to take action against him. No such direction can be issued by this court so as to remove a person from the post working on a substantive vacancy.

In view of the above the instant petition is dismissed. Although the respondents prayed that cost may be imposed against the petitioner but we think it is proper not to impose any cost because petitioner is a lawyer and is required to practice in this court for raising grievance of the public but he should not file such frivolous petitions.

Learned counsel for the State submits that on last occasion the court passed verbal order to place the employee under suspension and, therefore, in compliance of the verbal order passed by the court the employee has been placed under suspension.

In view of the fact that we have dismissed the writ petition filed by the petitioner, therefore, now the State Government will be at liberty to take action, if any required, under the law.

(G R MOOLCHANDANI),J

(G. K. VYAS),J

db/ashu/30



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