



HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

D.B. Civil Writ Petition No. 1408/2023

Poonam Soni @ Poonam Upadhyay

----Petitioner

Versus

The State Of Rajasthan

----Respondent

Connected With

D.B. Civil Writ Petition No. 167/2023

Harihar Rajpurohit

----Petitioner

Versus

The State Of Rajasthan

----Respondent

D.B. Civil Writ Petition No. 246/2023

Pawan Kumar

----Petitioner

Versus

The State Of Rajasthan

----Respondent

D.B. Civil Writ Petition No. 907/2023

Surendra

----Petitioner

Versus

The State Of Rajasthan

----Respondent

D.B. Civil Writ Petition No. 1332/2023

Surendra Kumar

----Petitioner

Versus

State Of Rajasthan

----Respondent

D.B. Civil Writ Petition No. 2012/2023

Kuldeep Choudhary

----Petitioner

Versus

State Of Rajasthan

----Respondent

D.B. Civil Writ Petition No. 7146/2023

Suresh Kumar





[CW-1408/2023]

----Petitioner

Versus

State Of Rajasthan

----Respondent

D.B. Civil Writ Petition No. 11975/2024

Sunil Choudhary

----Petitioner

Versus

The State Of Rajasthan

----Respondent

D.B. Spl. Appl. Writ No. 1323/2025

Ramniwas Bagria

----Petitioner

Versus

The State Of Rajasthan

----Respondent

For Petitioner(s) : Mr. Manoj Bhandari, Sr. Adv.
Mr. Sachin Saraswat
Mr. Vivek Shrimali
Mr. Govind Lal
Mr. Prateek Surana

For Respondent(s) : Mr. Sajjan Singh Rathore, AAG
Mr. Rakesh Sharma
Mr. Moti Singh
Mr. CS Kotwani

HON'BLE MR. JUSTICE ARUN MONGA
HON'BLE MR. JUSTICE YOGENDRA KUMAR PUROHIT

Order

16/01/2026

On the last date of hearing, at the request of learned counsel for the petitioner, accommodation was sought as lead counsel Shri Manoj Bhandari was in difficulty due to bereavement in his family.

On resumed hearing today, this time, learned counsel appearing for the State seeks short accommodation as he submits that in the ordinary course, learned Advocate General was to



assist in the matter, however, due to conflict of interest as he had in past appeared in identical issue for the petitioner at Jaipur Bench, he had to recuse himself from the matter. Thus, an alternative arrangement is required to be made. Request seems fair but the arrangement ought to have been made, given that matters have been pending since year 2023.

The matter is being taken up on each hearing on top of the list, in view of the following order dated 18.11.25 passed by this Court :-

*"Learned senior counsel appearing for the petitioners is fair enough to inform the Court that in spite of the orders passed by Hon'ble Supreme Court, the cases could not be heard for reasons beyond the control of the Bench, as the cases were listed before a Bench in which one of the Members of the Bench had recused.
2. We now direct to list these cases at the top of the list on 03.12.2025, as per the request made by learned senior counsel appearing for the petitioners."*

Notwithstanding, adjournments were sought on subsequent hearings for one reason or the other. Yet again, an adjournment is being sought today by the State. On the other hand, it transpires that, during the interregnum of adjournments, the department is proposing to carry out the transfers/postings of the promoted officials by seeking their choices as per seniority list which is under challenge.

While passing interim orders dated 10.02.2025 and 08.08.2025 in the present proceedings, it was made clear that any promotions made shall be subject to outcome of the pending writ petitions before this Court. In para 7 of the interim order dated 10.02.2025 it is stated thus :-

"7. Thus, while keeping the issue open to be addressed on the next date i.e., 15.04.2025, it is directed that the State shall complete the exercise of





conducting the review DPC / DPC for the posts of Vice Principals and Principals and also complete the task of posting after proper counseling. This exercise shall be completed for all the posts that are vacant on this date, for which the review DPC / DPC is due. It is made clear that such promotion/posting shall remain subject to the final outcome of these petitions. This order shall supersede all orders previously passed in this matter by this Court as well as Hon'ble Single Bench in the ongoing litigation before this Court today. 8.List all the matters on 15.04.2025, except for the mattes mentioned in para 9 of this order.”

Learned counsel for the State submits that the entire exercise, as contemplated hereinabove, has already been completed. In the premise, it is clarified that, in order to maintain the balance of equities, avoid unnecessary disquiet, and obviate repeated transfers or postings in the event of any change in seniority depending upon the outcome of the present proceedings, the proposed transfers/postings arising out of the counselling exercise to be undertaken by the State shall remain in abeyance till the next date of hearing.

At the request of learned counsel for the State, post it on 27.01.2026.

(YOGENDRA KUMAR PUROHIT),J

(ARUN MONGA),J

1-9-Arti/-

