



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 5654/2004

1. Smt. Neetu Choudhary W/o Yashpal Khileree, aged 30 yr. R/o 86, Ashok Nagar, Mahamandir, Jodhpur at present-18/601, Chopasni Housing Board, Jodhpur
2. Smt. Anju Agarwal W/o Shri Sunil Agarwal, ated 32 years, R/o Above Bhati Dairy Farm, Near Balwari School, Inside Jalori Gate, Jodhpur

-----Petitioner

Versus

1. The State of Rajasthan through its Secretary, Department of Medical and Health Services (Group-1), Rajasthan Jaipur.
2. The Director, Department of Medical and Health Services Health Bhawan, Rajasthan Jaipur
3. The Superintendent, Affiliated Group of Hospitals (Mahatma Gandhi Hospital), Jodhpur (Raj.)

-----Respondent

For Petitioner(s) : Ms. Neetu Choudhary (Petitioner No.1 present in person)
For Respondent(s) : Mr. Tanuj Jain for Mr. Mukesh Dave

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

16/05/2026

1. The present writ petition has been filed with the following prayers:-

"It is, therefore, respectfully prayed that Your Lordship may be pleased to allow this writ petition and-

a) by an appropriate writ, order or direction declare Annex.6 unjust, arbitrary and illegal and be quashed and set aside.

b) by an appropriate writ, order or direction declare Annex.7 illegal and be quashed and set aside.

c) by an appropriate writ, order or direction, the respondents may kindly be directed to regularize the petitioners on the post of Nurse Gr.II in the regular payscale.



d) by an appropriate writ, order or direction, in the alternate, the respondents may kindly be directed to pay the petitioners salary on the principle of Equal Pay for Equal Work of the post of Nurse Gr. II.”

2. Learned counsel for the parties jointly submit that the controversy involved is squarely covered by the judgment passed by the Coordinate Bench of this Court in the case of **State of Rajasthan & Ors. Vs. Dinesh Kumar Soni: SBSAW No.380/2016** and it is apprised to this court that an SLP as well as review in the SLP against the order above have been dismissed. Observing all those things in a judgment rendered in a batch of Special Appeal Writs led by **D.B. Spl. Appl. Writ No.532/2016 (The State of Rajasthan & Ors. vs. Dr. Paritosh Ujjwal & Ors.)**, relying upon the judgment of Hon’ble Supreme Court in **Jaggo v. Union of India & Ors.; (2024) SCC ONLINE SC 3836**, directed the respondents to compute the services of the petitioners from the date of their initial temporary/ad-hoc/urgent appointment and grant continuity of service for all purposes.

3. The submission of the learned counsel for the State that in the case of **Dr. Paritosh Ujjwal (supra)**, a Selection Committee had been constituted for the purpose of recruitment of the petitioners therein, whereas in the present case, the aspirants were merely allowed through the advertisement to drop the irrelevant papers in the boxes installed, does not carry much substance. This Court is of the view that in the case of petitioners also, the entire selection process was followed up in accordance with the procedure established by law. The issue involved in this case has adequately been answered and thus the petitioners too deserve to get the same treatment as has been given in the case of **Dr. Paritosh Ujjwal (supra)**. Hence, I am of the view that the





controversy involved in the case referred supra and the case in hand is the same and there are no distinguishable features so as to dis entitle the petitioners to get the same benefit as has been given to the petitioners in the case of **Dr. Paritosh Ujjwal (supra)** in the same terms and conditions and fashion.

4. In view of the ratio laid down in **Dr. Paritosh Ujjwal (supra)**, the present writ petition is allowed.

5. The respondents are directed to verify the documents of each petitioner and compute the services of the petitioner from the date of their initial appointment on temporary/ad-hoc/urgent basis. Upon such verification, if the respondents are satisfied about the genuineness of the documents and the eligibility of the petitioners, the benefit of continuity of services for all purposes shall be granted to them. Appropriate orders be passed within a period of eight weeks from now.

6. Stay petition and all pending applications, if any, stand disposed of.

(KULDEEP MATHUR),J

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