RAJASTHAN HIGH COURT
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HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Civil Writ Petition No. 27107/2026
CNR: RJHC011120612026 | URN: CW / 46902U / 2026

Rajasthan High Court
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1. Faruk Sheikh S/o Shri Liyakat Khan, Aged About 40 Years, R/o Dahiyo Ka Bas, Bali, District Pali, Rajasthan.
2. Bhanwar Sigh S/o Shri Bagh Singh, Aged About 39 Years, R/o Imli Ka Bas, Bisalpur, Bali, District Pali, Rajasthan.
3. Hemant Kumar Baroliya S/o Shri Jagdish Lal, Aged About 50 Years, R/o Regaro Ka Vass, Bisalpur, Bali, District Pali, Rajasthan.
4. Shiv Lal Solanki S/o Shri Kheema Ram, Aged About 51 Years, R/o 571, Meghwalo Ka Bas, Bhatund, Bali, District Pali, Rajasthan.
5. Imran Khan S/o Shri Navab Khan, Aged About 41 Years, R/o Quresh Street, Bali, District Pali, Rajasthan.
6. Mukesh Kumar Gehlot S/o Shri Deepa Ram, Aged About 51 Years, R/o Kachra Mutha Gali, Takhatgarh, District Pali, Rajasthan.
7. Laxman Ram S/o Shri Bhera Ram, Aged About 43 Years, R/o Village Guda Shyama, Tehsil Sojat, District Pali, Rajasthan.
8. Madan Lal S/o Shri Jetha Ram, Aged About 45 Years, R/o 179, Moda Ka Vas, Village Butelao, Post Khariya Neev, Tehsil Sojat, District Pali, Rajasthan.
9. Prakash Kumar Rathore S/o Shri Dargaram Rathore, Aged About 51 Years, R/o Meghwalo Ka Badla Wala Vas, Nadol, District Pali, Rajasthan.
10. Dilip Kumar Bhadru S/o Shri Doonga Ram Bhadru, Aged About 52 Years, R/o Nadol Road, Kotri, Tehisl Desuri, District Pali, Rajasthan.
11. Harish Chandra Awasthi S/o Shri Murlidhar, Aged About 45 Years, R/o 371, Rajat Vihar Colony, Pali, Rajasthan.
12. Lalit Verma S/o Shri Jagdish Parshad Verma, Aged About 50 Years, R/o B-135, Rajendra Nagar, Bhaleav Road, Pali Marwar, District Pali, Rajasthan.
13. Ajay Singh Chouhan S/o Gopal Singh Chouhan, Aged About 46 Years, R/o Manabari Darwaja, Village Raipur, District Beawar, Rajasthan.

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----Petitioners

Versus

1. The State Of Rajasthan, Through The Principle Secretary, Rural Development And Panchayati Raj Department, Secretariat, Jaipur, Rajasthan.
2. The Commissioner, Viksit Bharat-Guarantee For Rozgar And Ajeevika Mission (Gramin) (Vb-G Ramg) (Former Mahatama Gandhi National Rural Employment Guarantee Act (Mg-Nrega)), Jaipur, Rajasthan.
3. The District Program Coordinator Cum District Collector, Office Of Zila Parisad Pali, Rajasthan.
4. The Additional District Programme Coordinator-Cum Chief Executive Officer (Vb-G Ramg), Zila Parisad, Pali, Rajasthan.

----Respondents

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For Petitioner(s) : Mr. Abhimanyu Singh Rathore
Mr. Raghuveer Singh Rathore

For Respondent(s) : --

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

03/11/2026

1. By way of filing the present writ petition, the petitioners have prayed for the following reliefs:-

"In view of the facts and grounds stated above, it is most respectfully prayed that this Hon'ble Court may be pleased to:

A. Issue an appropriate writ, order or direction, more particularly in the nature of a writ of mandamus, declaring that the Petitioners, being Data Entry Assistants, possessing qualifications at par with those prescribed for regular Junior Assistants [formerly termed as Clerk Grade-II (LDC)] and discharging comparable entitled are duties, to wages/remuneration at least equivalent to the minimum of the pay scale/basic pay admissible to the said regular cadre, in terms of the law laid down by the Hon'ble Supreme Court in State of Punjab & Ors. v. Jagjit Singh & Ors., (2017) 1 SCC 148, as followed in Dinesh Kumar Choudhary in the context of VB-G RAMG (earlier MGNREGA), together with all

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consequential benefits.

B. Issue an appropriate writ, order or direction directing the Respondents to extend to the Petitioners the benefit of the minimum of the pay scale/basic pay admissible to the regular Junior Assistant (formerly termed as Clerk Grade-II (LDC)] cadre, along with increments as admissible under the applicable provisions, and to accordingly revise and re-fix their honorarium/remuneration from time to time in accordance with law.

C. Issue an appropriate writ, order or direction directing the Respondents to grant and release the aforesaid benefit to each of the Petitioners with effect from the respective date of their initial appointment/joining as Data Entry Assistant [DAE) (or from such other date as this Hon'ble Court may deem just and proper), and consequently to re-calculate and pay all arrears of wages/remuneration arising on such re-fixation preferably within a period of 4 weeks of receiving of the court's order.

D.Pass any other order or direction which this Hon'ble Court may deem just and proper in the facts and circumstances of the case, and award the costs of the petition Petitioners."

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2. Learned counsel for the petitioners submits that the controversy involved in the present writ petition is squarely covered by the judgment passed by the Hon'ble Division Bench of this Court in ***D.B. Special Appeal (Writ) No.535/2019, titled State of Rajasthan & Ors. v. Dinesh Kumar Choudhary & Ors., decided on 23.05.2019***.

3. The order dated 23.05.2019 passed by the Hon'ble Division Bench of this Court in the case of ***State of Rajasthan & Ors. v. Dinesh Kumar Choudhary & Ors. (supra)*** is reproduced hereinbelow for ready reference:-

"*The State appeals against the judgment of of the learned Single Judge who directed payment of minimum of the regular pay scale to the respondent, who had approached the Court under Section 226 of the Constitution of India. In so doing, the impugned order relied upon the judgment in Parin Rawal vs.*

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State of Rajasthan & Ors. [S.B. Civil Writ No:4954/2018].

2. It is argued on behalf of the State that the kind of relief granted by learned Single Judge is based on the rulings of the Supreme Court which emphasizes that the nature of the employment and job responsibilities of the two posts or position ought to be identical, not to be closely similar. It is submitted that this parity was not established because appropriate directions.

3. This Court notices that the learned Single Judge has merely directed placement of the respondents in the minimum of the regular pay scale and not directed grant of extension of the said pay scales. Neither in the reply to the writ petition nor even in the grounds has the appellant State elaborated as to the precise nature of responsibilities and whether the employment is interchangeable. Often it happens that in a regular cadre in respect of the same posts, different sets of responsibilities are assigned by the employer to the concerned officer or employees in the same cadre or grade. This does not per se show or prove disparity in the nature of the work; rather manner in which the work is taken from employee is entirely in the control of the employer. Furthermore the Court notices that in Parin Raval (Supra), and State of Punjab vs. Jagjeet Singh (2017) 1 SCC 148 was noticed and relied upon.

3. In view of the above foregoing reasons and having regard to the nature of arguments and pleadings, the Court is of the opinion that appellate intervention is not called for.

4. The appeal is accordingly dismissed."

3. In view of the aforesaid submissions made at Bar by learned counsel for the petitioners, the present writ petition is disposed of

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in terms of the judgment passed by the Hon'ble Division Bench of this Court in ***State of Rajasthan & Ors. v. Dinesh Kumar Choudhary & Ors. (supra)***.

4. It is expected that the respondents shall apply the ratio laid down by the Hon'ble Division Bench of this Court in ***State of Rajasthan & Ors. v. Dinesh Kumar Choudhary & Ors. (supra)*** to the case of the petitioners and extend the benefit of equal pay to the petitioners from their initial date of appointment in the respondent Department, in accordance with law.

5. The stay application also stands disposed of.

(KULDEEP MATHUR),J

Crt_9 (1810)
D-A/38
Himanshu Singh

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