HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 1183/2025
CNR: RJHC020734702025 | URN: SAW / 2516U / 2025

Nanak Ram Jolia Son Of Shri Babu Lal Regar, Aged About 43 Years, Resident Of Raigar-Ka-Mohalla, Mandir Ke Peechhe, Ward No. 26, Sawai Madhopur Rajasthan.

----Appellant

Versus

1. State Of Rajasthan, Through The Secretary, Animal Husbandry Department, Secretariat, Jaipur.
2. Director, Animal Husbandry Rajasthan, Tonk Road, Jaipur, Rajasthan.
3. District Animal Husbandry Officer, Sawaimadhopur. Rajasthan.

----Respondents

For Appellant(s) : Mr. Sampat Lal Songara, Adv.
For Respondent(s) :

HON'BLE MR. JUSTICE INDERJEET SINGH
HON'BLE MR. JUSTICE SANDEEP TANEJA

Order

03/09/2026

This appeal has been filed by the appellant challenging the order dated 25.07.2025 passed by the learned Single Judge of this Court

While dismissing the writ petition the learned Single Judge in its order dated 25.07.2025 observed as under:-

> "1. By means of filing instant civil writ petition under Article 226 of the Constitution of India, the fundamental prayer of petitioner is to execute the order dated 21.03.2017 passed by the Coordinate Bench of this High Court in previous writ petition, filed by the petitioner, being S. B. Civil Writ Petition No.6405/1998: Nanak Ram Jolia Vs. State of Rajasthan & Ors..

2. The case of petitioner is that recruitment on the post of "Sais" in district Sawai Madhopur was made by the Department of Animal Husbandry, Government of Rajasthan and in such recruitment, reservation to the candidates belonging to Scheduled Caste (SC) was not provided. While considering this issue, the Coordinate Bench of this High Court, in previous writ petition filed by the petitioner, recorded a concession of the State's Counsel in the following manner:-

> "State's Counsel has further assured this Court that in case the services of 'Sais' are required, a fresh advertisement shall be issued and the State Government shall follow the reservation policy, the roster published and accepted by the Department in letter and sprit".

3. It appears that on the basis of such statement of the counsel for the Government of Rajasthan, the previous writ petition of petitioner was disposed of with following directions:-

> "A. That the respondents No.1 to 3, if they intend to continue with the post of 'Sais' upon which respondent Nos.4 to 9 were temporarily appointed, shall issue a fresh advertisement for recruitment of 'Sais' by following reservation policy of the State Government.
>
> B. That the entire selection process shall be completed within a period of six months from the date of receipt of certified copy of this order.
>
> C. That Till the issuance of advertisement & conclusion of the selection process, the respondent Nos.4 to 9 shall continue.
>
> D. That since one post was kept reserved for the petitioner and the respondent Nos.4 to 9 are serving the State from last twenty-years, they shall be permitted to participate in the selection process, even though they have become overage by efflux of time due to pendency of the writ petition."

4. It is noteworthy that in respect of non-compliance of the directions referred hereinabove, the petitioner preferred S.B. Civil Contempt Petition No.1896/2017: Nanak Ram Jolia Vs. Shri Ajitabh Sharma & Ors. The contempt petition came to be dismissed on merits vide order dated 12.11.2018 taking note of the fact that the post of "Sais" has

been abolished by the Government of Rajasthan in the meeting of Budget Financial Committee dated 25.01.2007. Hence, in view of abolition of the post of "Sais", it was observed that the directions issued vide order dated 21.03.2017 are not liable to be complied with.

5. Counsel for the petitioner states that indeed the post of "Sais" has been renamed and re-structured as "Livestock Assistant" in the Department of Animal Husbandry.

6. Be that as it may, as far as grievance of petitioner, in respect of non-execution of the order dated 21.03.2017 is concerned, the issue has been examined on merits by the Coordinate Bench of this High Court in S.B. Civil Contempt Petition No.1896/2017 and the contempt petition has been dismissed on merits vide order dated 12.11.2018. Thus, the issue of non-execution, may not be revived and re-examined in the present writ petition.

7. Further, this Court finds that the order dated 21.03.2017 was basically passed, relying upon the assurance of the Counsel for the State Government. Thereafter, no vacancies of "Sais" renamed "Livestock Assistant" have been notified by the State Government, therefore, the issue of non-adherence to the roster point or nonadherence to the reservation policy or not providing reservation to the candidates of SC Category, does not arise at all. 8. Further, it has also transpired that as far as the persons working on the post of "Sais" in the Animal Husbandry Department is concerned, they were engaged on contractual basis and their services as "Livestock Assistant", have been continued in the same capacity vide order dated 24.03.2017 (Ann.3), hence
this order does not give rise to any cause of action to petitioner to claim reservation for SC Candidates.

9. The net outcome of the discussion made hereinabove is that no relief, as prayed for by the petitioner in the instant writ petition, can be granted by this Court in exercise of writ jurisdiction under Article 226 of Constitution of India.

10. As a result, the writ petition is hereby dismissed.

11. Stay application and any other pending application, if any, also stand disposed of."

Counsel for the appellant submits that the advertisement in the question relates to the year 1997 in which no post was reserved for SC category candidate.

Heard counsel for the appellant and perused the record.

The learned Single Judge while dismissing the writ petition, considered the orders passed by this Court in earlier round of litigation.

We are in complete agreement with the view taken by the learned Single Judge and also considering the fact that the advertisement relates to the year 1997, We see no reason to interfere in this matter.

Hence, this appeal stands dismissed. All the pending applications stand disposed of.

(SANDEEP TANEJA),J (INDERJEET SINGH),J

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