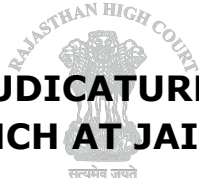




RAJASTHAN HIGH COURT  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**



**S.B. Civil Writ Petition No. 3015/2019**

Rekha Kumari Daughter Of Shri Namonarth Mishra

----Petitioner

Versus

State Of Rajasthan

----Respondent

Connected With

**S.B. Civil Writ Petition No. 21167/2018**

Vijendra Kumar Sharma Son Of Ganpat Lal Sharma

----Petitioner

Versus

State Of Rajasthan Through Principal Secretary

----Respondent

**S.B. Civil Writ Petition No. 22350/2018**

Manoj Kumar Sharma Son Of Shri Haridwari Lal Sharma

----Petitioner

Versus

State Of Rajasthan, Through Principal Secretary

----Respondent

**S.B. Civil Writ Petition No. 15113/2019**

Vijendra Kumar Sharma S/o Ganpat Lal Sharma

----Petitioner

Versus

State Of Rajasthan Through Principal Secretary

----Respondent

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For Petitioner(s) : Mr. Jai Raj Tantia  
For Respondent(s) : Mr. Rahul Gupta & Mr. Shubhendu  
Pilania for Mr. Basant Singh Chhaba,  
AAG

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**HON'BLE MR. JUSTICE GANESH RAM MEENA**

**Judgment / Order**

**15/03/2024**



Mr. Rahul Gupta, Adv. & Mr. Shubhendu Pilania, Adv. on behalf of Mr. Basant Singh Chhaba, AAG, appearing for all the respondents seek three weeks' time to file reply.

On 22.01.2020, this Court directed the counsel for the petitioner to serve a copy of the petition in the Office of Mr. C.L. Saini, AAG and to list the matter after showing the name of Mr. C.L. Saini, AAG in the cause-list. On 03.02.2020, Mr. C.L. Saini, AAG appeared for the respondents and sought two weeks' time to file reply. Again on 15.09.2023, Mr. C.L. Saini, AAG appearing for the respondents sought further time to file reply and time prayed for was allowed. Again today after passing of more than four years, counsels appearing for the respondent-State make a request to allow time to file reply.

The matters pertain to claim of the petitioners for appointment on the Post of Teacher Grade-III (Special Education). The petitioners are the unemployed persons and have come before this Court to seek justice. The respondent-State which is said to be a welfare State is praying for time to file reply, even though they have been served four years ago. The lethargic approach of the respondent-authority shows that the respondents are not acting as a welfare State and such kind of approach may lead to catastrophic situation for the whole litigation and justice system for which the poor unemployed litigants are coming to the Courts.

Since last two months it is also seen that respondent-State is not properly represented by its counsel or the Officer. Many a times, it has been brought to notice of the Chief Secretary of Rajasthan and Principal Secretary, Law and Legal Affairs



Department, Government of Rajasthan but till date no satisfactory arrangement has been made for representation of the State. Many cases are being adjourned for want of presence of State counsel. Few days ago, this Court also came across a litigation filed by the State itself, in which no one was appearing for the State for two three occasion in that case.

In aforementioned situation, this Court feels that the matter should be brought to notice of His Excellency the Governor of Rajasthan for issuance of instructions to the State Government to look into the matter so that the interest of the State can be safeguarded during the litigation system and judgments passed by the Court.

Registrar (Judicial) is directed to send a copy of this order to His Excellency the Governor of Rajasthan, Chief Secretary of the State of Rajasthan as also to the Principal Secretary, Law and Legal Affairs Department, Government of Rajasthan.

In the interest of justice two weeks' time as a last opportunity is allowed to the respondents to file reply subject to the payment of cost of Rs.10,000/- to be paid by the respondent-State to each of the petitioners in case reply is not filed before next date of listing.

List these matters on 03.04.2024.

(GANESH RAM MEENA),J

ARTI SHARMA /7-10