

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

S.B. Civil Writ Petition No. 13912 / 2017

1. Poonam D/o Mahavir Prasad

2. Krishna D/o Ramswaroop Bhamboo

3. Manju Kumari D/o Rajmal, All by Caste Jat, Resident of V/p
Jogiwala, Tehsil Bhadra, District Hanumangarh.

----Petitioners

Versus

1. State of Rajasthan Through the Secretary, Department of
Medical & Health, Secretariat, Jaipur.

2. Additional Director (Administration), Medical & Health Services,
Tilak Marg, Jaipur.

3. Chief Medical & Health Officer, Hanumangarh.

----Respondents



For Petitioner(s) Mr. AR Beniwal

For Respondent(s) : Mr. Rishabh Tayal for Mr. KL Thakur, AAG

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI

Order

06/02/2018

1. Learned counsel for the petitioner states that the respondents are bound to abide by judgment passed by Jaipur Bench of this Hon'ble Court in ***Priyanka Saini & Ors. Vs. State of Rajasthan & Ors. (S.B. Civil Writ Petition No.1766/2017,*** decided on 01.05.2017, the operative portion of this judgment, reads as under :-

“Following the view formulated by the coordinate Bench in the case of **Rajkumar & Ors.** (supra), the present writ petitions are disposed of by issuing following directions:-

(i). *That the respondents shall issue a public notice in 'Rajasthan Patrika' and 'Dainik Bhaskar' having largest circulation in the State of Rajasthan, within ten days from the receipt of certified copy of the order.*

(ii). That the respondents in the public notice shall also disclose number of vacancies available in each District.

(iii). That the respondents in the public notice to be issued in pursuance of directions issued above, shall seek option of candidates district-wise. Needless to say, a meritorious candidate shall first give option for his/her home district and then shall give his/her preference for remaining districts serial-wise.

(iv). That the respondents, after meritorious candidates are allowed to exercise option for his/her home district and posts are filled on that basis, shall allocate remaining posts in other districts to successful candidates on the basis of merit.

(v). It is clarified that no candidate lower in merit will be allowed to jump a candidate who is meritorious. So far employment is concerned, all candidates in merit list shall be allocated a district.

(vi). That respondents shall device a formula to act in consonance with the directions issued by this court above so that no meritorious person is left out of the employment."

2. In light of the afore-quoted judgment, the writ petition is disposed of with the direction to the respondents to act strictly in accordance with terms and conditions laid down in the judgment of **Priyanka Saini (Supra)**. It is further made clear that the respondents shall be required to give appointment to the petitioner on the post of Auxiliary Nursing Midwifery (A.N.M.) arising out of advertisement dated 28.01.2016, in case any person having lower merit than the petitioner has been accorded such appointment.

(DR. PUSHPENDRA SINGH BHATI)J.

sudheer