



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

S.B. Civil Writ Petition No. 17347/2024

Rajesh Kumar S/o Shri Ram Swarup, Aged About 41 Years, R/o
137/2, Hasinga (83), Fatehabad, Haryana.

----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Medical And Health, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. Principal Secretary, Department Of Medical Education And Department Of Medical And Health, Government Of Rajasthan, Jaipur, Rajasthan.
3. Additional Director (Administration), And Ex-Officio Joint Secretary, Department Of Medical Education (Group-1), Government Of Rajasthan, Jaipur, Rajasthan.
4. Director, Rajasthan Medical Education Society (Raj-Mes), Jaipur, Rajasthan.
5. Principal And Controller, Rajmata Vijaya Raje Scindia Medical College, Bhilwara, Rajasthan.

----Respondents

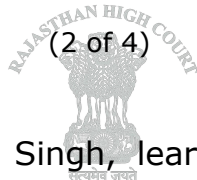
For Petitioner(s)	:	Mr. Manvendra Singh with Ms. Saumya Choudhary
For Respondent(s)	:	Mr. N.S. Rajpurohit, AAG with Mr. Sher Singh Rathore

JUSTICE DINESH MEHTA

Order

10/01/2025

1. It is shocking state of affairs that the petitioner has not been paid his salary/honorarium since April, 2023, despite his services are being used continuously.
2. On the previous date of hearing (06.12.2024), the following order was passed:-



"1. Mr. Manvendra Singh, learned counsel for the petitioner submitted that since April, 2023 the petitioner has not been paid his salary and honorarium.

2. Mr. N. S. Rajpurohit, learned counsel for the respondent submitted that petitioner has not impleaded National Rural Health Mission (hereinafter referred to as "NRHM") as a party respondent, while submitting that petitioner's services are governed by Medical Education Department.

3. Learned counsel submitted that proper instructions can be obtained from the Medical Health Department only and petitioner remaining dues can be made. On the basis of identical writ petition (*Aakash Acharya in SB Civil Writ Petition No.16911/2024*), learned AAG submitted that there is divergent stand of Medical Health Department and Medical Education Department.

4. According to this Court, NRHM may be different arm of the State but it is also a part of the State.

5. The Principal Secretary of the Medical Health Department and Medical Education Department shall have a joint meeting and give concrete instructions to Mr. N.S. Rajpurohit, AAG as to what is to be done in this matter.

6. For the purpose aforesaid, Mr. N. S. Rajpurohit, AAG is directed to send copy of the writ petition to both the Principal Secretaries – Medical Health Department & Medical Education Department, with a short note.

7. List this case on 10th January, 2025."

3. Mr. Rajpurohit, learned Additional Advocate General placed for perusal of the Court copy of the minutes of meeting dated 02.01.2025; the same is taken on record.



4. On perusal of the minutes of meeting dated 02.01.2025, this Court finds that the meeting is of the Medical Education Department and the Principal Secretary of Medical & Health Department was not invited/present, though specifically directed by this Court.

5. It is to be noted that on previous date of hearing realizing that there is divergence of view, a direction was issued to convene a meeting of Principal Secretary of Medical & Health Department and Medical Education Department; but neither minutes of such meeting has been placed for perusal of the Court nor is Mr. Rajpurohit in a position to state whether such meeting has taken place. This Court had directed a meeting of Principal Secretary of Medical & Health Department and Medical Education Department to be convened so as to resolve the dispute of appropriate authority to give instructions regarding due amount payable to the petitioner and other such employees.

6. Be that as it may. A perusal of the meeting dated 02.01.2025 shows that the petitioner's grievance still stands unresolved, rather unattended.

7. While expressing its concern about the indifferent rather, callous attitude of the State authorities qua an employee, who has not been paid salary for the last more than twenty months, it is, hereby, ordered that in case the petitioner's entire dues are not cleared by the next date of hearing, the State shall not disburse salary to the Principal Secretary of Medical & Health Department, Principal Secretary to the Medical Education Department and Principal & Controller, Rajmata Vijaya Raje Schindia Medical College, Bhilwara.



8. A copy of this order be sent to the Chief Secretary of the State of Rajasthan for ensuring compliance of direction given in Para No.7 above.

9. List this case on 07.02.2025.

10. The petitioner is directed to place on record his appointment/engagement order.

(DINESH MEHTA),J

9-Mak/-