



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



D.B. Special Appeal Writ No. 486/2024

Poonam D/o Lal Singh D/o Lal Singh, Aged About 36 Years, R/o Ward 15, Village Buhana, Tehsil Buhana, District Jhunjhunu(Raj.)

----Appellant

Versus

1. State Of Rajasthan, Through Principal Secretary, Women And Child Development Department, Government Secretariat, Jaipur, Rajasthan
2. The Commissioner, Director Of Women Empowerment, Jhalana Industrial Area, Jaipur, Rajasthan
3. Deputy Director, Women Empowerment Department, Jhunjhunu, Rajasthan
4. President, Narayan Sewa Evam Vikas Sansthan, Bundi, Rajasthan

----Respondents

For Appellant(s) : Mr.Manish Lawaniya
For Respondent(s) :

**HON'BLE MR. JUSTICE PANKAJ BHANDARI
HON'BLE MR. JUSTICE PRAVEER BHATNAGAR**

Order

16/08/2024

1. The appellant has preferred this appeal aggrieved by the order dated 24th June, 2024 passed by learned Single Judge (Vacation Judge), whereby the writ petition, filed by the appellant, was dismissed.

2. It is contended by learned counsel for the appellant that the appellant was appointed by respondent No.4 - President, Narayan Sewa Evam Vikas Sansthan, Bundi and there was a minimum requirement in policy "Mahila Suraksha Evam Salaah Kendra



Niyaman Evam Anudaan Yojna” that there has to be two female employees and one of amongst, was required to be a law graduate.

3. It is contended that respondent No.4 has terminated services of the appellant vide order dated 31st May, 2024. Since sanction was given to respondent No.4 on the basis of availability of two employees, one of amongst, the present appellant, the respondent No.4 could not have relieved the appellant.

4. It is contended that since respondent No.4 – Sansthan was approved by the Committee consisting of District Collector, Superintendent of Police, Chief Judicial Magistrate and other functionaries of the State, any employee of the NGO could not have been removed without sanction of the authorities.

5. We have considered the contentions made by learned counsel for the appellant and have gone through Mahila Suraksha Evam Salaah Kendra Niyaman Evam Anudaan Yojna (Amended) – 2017.

6. Admittedly, the appellant was an employee of respondent No.4 – Sansthan. The respondent No.4 is an NGO and cannot be treated as a State merely because it has been approved by functionaries of the State. As per “Mahila Suraksha Evam Salaah Kendra Viyaman Evam Anudaan Yojna”, the State is only giving subsidy to the NGOs for looking into grievances of the female.

7. Be that as it may, learned Single Judge has rightly held that respondent No.4 – Sansthan is not a State and a writ petition does not lie, as the prayer made in the writ petition was to direct respondent No.4 to reinstate the appellant into service.



8. In view of the above, we do not find any force in the appeal, hence, the same is accordingly dismissed.

9. Stay application and/or other pending application, if any, also stands disposed of.



(PRAVEER BHATNAGAR),J

(PANKAJ BHANDARI),J

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