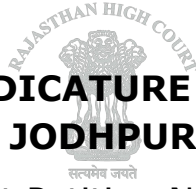




**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**



S.B. Civil Writ Petition No. 5516/2019

Nand Kishore Chouhan S/o Dev Kishan Chouhan, Aged About 44 Years, R/o Ashu Vihar, Jalariyon Ka Baas Above Ram Chowk, Inside Nagauri Gate, Jodhpur, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Personnel And Training Jaipur, Rajasthan.
2. Rajasthan Public Service Commission, Ajmer., Rajasthan Through Tis Secretary, Ajmer, Rajasthan.
3. The Secretary, Rajasthan Public Service Commission, Ajmer, Rajasthan
4. The Excise Commissioner, Excise Department, Madhuban, Udaipur (Raj.)

-----Respondents

Connected With

S.B. Civil Writ Petition No. 10562/2019

Shailendra Chaturvedi S/o Late Sh. Shyam Chaturvedi, Aged About 47 Years, R/o Iii/335, Govt. Qtrs., Pratap Nagar, Udaipur, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Personnel And Training, Jaipur, Rajasthan.
2. Rajasthan Public Service Commission, Ajmer, Rajasthan, Through Its Secretary, Ajmer, Rajasthan.
3. The Secretary, Rajasthan Public Service Commission, Ajmer, Rajasthan.
4. The Excise Commissioner, Excise Department, Madhuban, Udaipur (Raj.).
5. Prem Narayan Sharma S/o Sh. Hari Om Sharma, (Deo Karauli) Through The Excise Commissioner, Udaipur, Rajasthan.
6. Vinod Kumar Sharma S/o Bajrang Lal Sharma, (Deo Jaipur Rural) Through The Excise Commissioner, Udaipur, Rajasthan.



7. Vikas Kumar S/o Sh. Ishwar Singh, (Deo Jhunjhunu) Through The Excise Commissioner, Udaipur, Rajasthan.
8. Gurnam Singh S/o Sh. Ranveer Singh, (Deo Ajmer) Through The Excise Commissioner, Udaipur, Rajasthan.
9. Arvind Khichi S/o Madanlal Khichi, (Deo Sikar) Through The Excise Commissioner, Udaipur, Rajasthan.
10. Rahul Sharma, (Deo Pratapgarh) Through The Excise Commissioner, Udaipur, Rajasthan.
11. Ashutosh Kaushik, (Epf Jaipur City) Through The Excise Commissioner, Udaipur, Rajasthan.
12. Ajay Kumar Sharma, (Deo Budni) Through The Excise Commissioner, Udaipur, Rajasthan.

-----Respondents

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For Petitioner(s)	:	None present
For Respondent(s)	:	Mr. Rajesh Punia Mr. Abhimanyu Singh for Mr. Sandeep Shah, AAG

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### JUSTICE DINESH MEHTA

#### Order

**04/09/2023**

1. The petitioners who had contested for Rajasthan Administrative Services Combined Competitive Examination – 2016 pursuant to the recruitment Notification dated 28.04.2016, have raised a grievance that the respondents be directed to declare such candidates ineligible who do not have requisite experience of five years in Ministerial Cadre as on 01.01.2017.
2. Learned counsel for the respondent – Commission submitted that the petitioners have filed their application form in Non-Gazetted Employee category, whereas the candidates selected fall under category of Departmental Candidates (DC). He argued that



two being entirely different categories have different qualifying criteria and no similarities between the two can be drawn.

3. He further submitted that the recruitment for Rajasthan State and Subordinate Services, which was notified on 28.04.2016 has long been over and at least three recruitments thereafter have taken place.

4. Having heard the learned counsel for the respondents, this Court is of the view that these are two entirely different and distinct categories, one being Departmental Candidates and other being Non-Gazetted Employees, no parity can be drawn between the two.

5. That apart, the recruitment of 2016 has already been over and three recruitments thereafter have taken place, hence, even if any substance is found in petitioners' contention, no relief can be granted at such belated stage.

6. The writ petitions are, therefore, dismissed.

7. Stay applications also stand disposed of.

**(DINESH MEHTA),J**

149-Mak/-