



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



S.B. Civil Writ Petition No. 17538/2016

1. Chandra Shekhar Sharma S/o Shri Banwari Lal Sharma, R/o Village Jodhawas, Post Office Bhangroli, Tehsil Thanagazi, District Alwar, Rajasthan Roll No. 115062
2. Sukhdev Singh S/o Shri Kishna Ram, R/o, Vpo Bamania, Post Bamania, Tehsil Surajgarh, City Bamania, District Churu, Rajasthan -331506 Roll No. 114157
3. Charan Singh Solanki S/o Shri Mangti Ram Solanki, R/o, Village And Post Purabaikhera, Tehsil Bayana, District Bharatpur, Rajasthan Roll No. 114560
4. Nitesh Kumar Sharma S/o Shri Gauri Shankar Sharma, R/o, Village And Post Jhareda, Tehsil Hindauncity, District Karauli, Rajasthan-322230 Roll No. 114187
5. Chandra Shekhar Sharma S/o Shri Subash Chand Sharma, R/o, Mohalla Bamanpura, Bayana, Tehsil Bayana, District Bharatpur, Rajasthan Roll No. 115202
6. Pratibha Sharma D/o Shri Narhari Dutt Sharma, R/o, Village And Post Samod, Tehsil Chomu, District Jaipur, Rajasthan Roll No. 115206
7. Poonam Jakhar D/o Shri Bhaniram Jakhar, R/o Sector No. 12, Hanumangarh Junction, District Hanumangarh, Rajasthan Roll No. 114837
8. Virendra Koushik S/o Shri Amar Nath Koushik, R/o, Ward No. 15, Tehsil Bhadra, District Hanumangarh, Rajasthan Roll No. 114525

----Petitioners

Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Secretariat, Jaipur-302005 Rajasthan
2. Rajasthan Public Service Commission, Through Its Secretary, Ghooghra Ghati, Ajmer, Rajasthan

----Respondents

Connected With

S.B. Civil Writ Petition No. 259/2016

1. Nand Singh Rathore S/o Shri Gopal Singh Rathore aged about 302/368, Jadaun Nagar-A, Durgapura, Jaipur (Raj.)



2. Prakash Kumar Khatri S/o Shri Mohan Lal aged about 38 years resident of Dr. V.C. Bhandari Ke Samne, Topkhana Ke Pass, Jalore (Raj.)

3. Lalita Jeengar S/o Shri Ramniwas Jeengar aged about 35 years resident of Mangri, Mohalla, Ward No. 12, Gangapur District Bhilwara (Raj.)

4. Narendra Pal Singh S/o Shri Taleram aged about 33 years resident of Rajasthan Gramin Bank, Kothi Rosevilla, Saras Hotel Bharatpur (Raj.)

5. Vikram Meena S/o Shri Sarvan Lal Meena aged about 30 years resident of Qtr. 198, Type-III, Sector-3, Sadiq Nagar, New Delhi.

6. Yogesh Tripathi S/o Shri Om Prakash Tripathi aged about 29 years resident of Outside of Chandpole Gate, Bihari Marg, Sikar (Raj.)

7. Darshan Shree Verma S/o Shri Rameshwar Dayal Verma aged about 35 years resident of VPO Surani, Via. Jharli, Tehsil Srimadhapur District Sikar (Raj.)

Versus

1. State of Rajasthan through Director, Department of Prosecution, Room No.7020, 7226 Food Building, Secretariat, Jaipur - 302005 (Rajasthan)

2. Rajasthan Public Service Commission through its Secretary, Ghooghra Ghati, Ajmer, Rajasthan

3. Ajay Kumar Gupta S/o Shri Pooran Chand, aged about 31 years resident of Near Old Post Office, V.P.O. Malakhera, District Alwar (Rajasthan). Roll No. 118511

4. Rajesh Kumar S/o Shri Karan Singh, aged about 35 years resident of Village Jeetredi, Post Simla Kala, Tehsil Nagar, District Bharatpur (Rajasthan) Roll No. 102908

5. Rajesh Kumar Gupta S/o Shri Shyam Sunder aged about 34 years resident of Behind Panchayat Bansur, Alwar (Rajasthan) Roll No. 102954

6. Bhuvnesh Kumar S/o Shri Tek Chand, aged about 38 years resident of 21, Mangal Vihar Extension, Gopalpura Bye Pass, Jaipur

7. Vimlesh Kumar Choudhary S/o Shri Bodi Lal Jat aged about 34 years resident of VPO Radawas, Tehsil Shahpura, District Jaipur Roll No. 120756





8. Kamal Kant Sharma Roll No. 122337
9. Rakesh Sharma Roll No. 117838
10. Pawan Kumar Roll No. 122213
11. Alka Rani Roll No. 114072
12. Puneet Madaan Roll No. 108306
13. Ripendra Chaubey Roll No. 118831
14. Bhawra Ram Roll No. 117334
15. Pradeep Kumar Sharma Roll No. 100914
16. Khushabu Sharma Roll No. 116686
17. Uma Shankar Sharma Roll No. 122595
18. Ila Giri Roll No. 117718
19. Sandeep Bhardwaj Roll No. 116622
20. Manvendra Singh Gaur Roll No. 123118
21. Ranveer Singh Roll No. 116326
22. Ram Prakash Kashyap Roll No. 121837
23. Harish Kumar Gupta Roll No. 117607
24. Vandana Datta Roll No. 116917
25. Krishna Kumar Saini Roll No. 123611
26. Sonu Maharshi Roll No. 117714
27. Sita Sharma Roll No. 103426
28. Amit Sharma Roll No. 102974
29. Kamalesh Kumar Sharma Roll No. 120376
30. Sidharth Singh Hapaw Roll No. 114663
31. Gagan Deep Grover Roll No. 103021
32. Ravi Ghintala Roll No. 120029
33. Akshay Sharma Roll No. 119332
34. Anand Vyas Roll No. 100267
35. Satya Bhan Singh Hada Roll No. 108833
36. Vivek Kumar Tripathi Roll No. 120675
37. Khushal Daiya Roll No. 118349
38. Poonam Kumari Gupta Roll No. 116518
39. Mohan Sharma Roll No. 116571
40. Chandra Vala Roll No. 120839
41. Meenakshi Vyas Roll No. 118983
42. Pankaj Agarwal Roll No. 116951
43. Manisha Singh Roll No. 119198
44. Rakesh Sharma Roll No. 102300
45. Kuldeep Singh Roll No. 120541
46. Kanaram Meena Roll No. 114644
47. Preeti Goyal Roll No. 102631





48. Parwat Singh Rajpurohit Roll No. 114194
49. Giriraj Kasana Roll No. 114342
50. Pankaj Singh Yadav Roll No. 114084
51. Geeta Gupta Roll No. 114084
52. Madhav Singh Rathore Roll No. 122663
53. Om Prakash Roll No. 103351
54. Girdhari Roll No. 108929
55. Majid Khan Moyal Roll No. 122818
56. Anupama Bhatnagar Roll No. 102259
57. Jyoti Vyas Roll No. 118956
58. Jitendra Singh Shekh Roll No. 117045
59. Pradeep Roll No. 123094
60. Kumari Kanchan Singh Roll No. 118061
61. Anand Singh Shekhawat Roll No. 100691
62. Ram Bilash Sharma Roll No. 102451
63. Legha Deepak Ranjeet Roll No. 117169
64. Rajeev Jindal Roll No. 102979
65. Hargovind Sharma Roll No. 119037
66. Suresh Choudhary Roll No. 119450
67. Kalpana Pareek Roll No. 114861
68. Krishna Kumar Sharma Roll No. 116181
69. Kushal Pal Singh Roll No. 118193
70. Chatrugun Khaldhania Roll No. 117150
71. Satish Kumar Roll No. 118525
72. Shrikrishan Sharma Roll No. 122573
73. Bharat Ajmera Roll No. 120941
74. Sagar Tiwari Roll No. 120708
75. Shiv Puri Roll No. 117254
76. Hitesh Kumar Yadav Roll No. 117572
77. Kanhaiya Lal Joshi Roll No. 112870
78. Zakir Hussain Roll No. 123354
79. Pankaj Kumar Gupta Roll No. 123375
80. Khemraj Nama Roll No. 114115
81. Soniya Roll No. 119165
82. Ranjeet Kaur Roll No. 122528
83. Chetana Roll No. 117324
84. Rajesh Kumawat Roll No. 100853
85. Anil Daiya Roll No. 118700
86. Agraj Jain Roll No. 122643
87. Kamlesh Kumar Sharma Roll No. 116552





88. Himanshu Garg Roll No. 118058
89. Susheela Roll No. 115052
90. Deepika Singh Roll No. 121293
91. Amit Dave Roll No. 120353
92. Sachin Chugh Roll No. 102469
93. Harphool Singh Devan Roll No. 118530
94. Ashutosh Kaushik Roll No. 118288
95. Seema Solanki Roll No. 116333
96. Nisha Roll No. 118547
97. Ajeet Singh Rajput Roll No. 123113
98. Mahendra Kapur Sharma Roll No. 115013
99. Vikas Kumar Jain Roll No. 121658
100. Vibhat Sinwar Roll No. 121054
101. Shailendra Mertiya Roll No. 121537
102. Megh Singh Bhati Roll No. 119740
103. Jyoti Pareek Roll No. 122312
104. Manoj Kumar Sharma Roll No. 116510
105. Priynka Sharma Roll No. 119620
106. Kamlesh Sharma Roll No. 123504
107. Hem Singh Shekhawat Roll No. 122607
108. Deepika Sharma Roll No. 116706
109. Viahkli Rawat Roll No. 103347
110. Bhom Singh Chauhan Roll No. 110524
111. Pankaj Kumar Shurma Roll No. 102108
112. Vinod Kumar Roll No. 120741
113. Anisha Sharma Roll No. 120582
114. Sushil Sharma Roll No. 122754
115. Shyam Sunder Suthar Roll No. 117576
116. Mukesh Chand Roll No. 102585
117. Renu Gupta Roll No. 103270
118. Chanda Singh Rao Roll No. 114497
119. Mahender Kumar Roll No. 120419
120. Narendra Singh Roll No. 114864
121. Kavita Roll No. 100067
122. Pradeep Kumar Roll No. 100966
123. Vijay Laxmi Soni Roll No. 120108
124. Govind Singh Roll No. 119007
125. Dharmendra Singh Roll No. 121472
126. Kranti Jain Roll No. 117495
127. Ram Kumar Mirwal Roll No. 116657





128. Rakesh Yadav Roll No. 102043
129. Naresh Singh Kavia Roll No. 115304
130. Jitendra Kumar Lakhe Roll No. 121000
131. Moti Shanker Nagar Roll No. 114714
132. Krishna Swami Roll No. 103460
133. Tarun Kumar Singh Roll No. 122218
134. Hema Kumari Roll No. 102747
135. Mukesh Kumar Roll No. 121036
136. Suman Kumari Choudhary Roll No. 114313
137. Raju Singh Roll No. 120151
138. Sonal Singh Roll No. 108645
139. Lalit Singh Balapota Roll No. 122389
140. Jitendra Khatri Roll No. 119273
141. Mahesh Kumar Kumawat Roll No. 119906
142. Om Prakash Roll No. 115144
143. Shweta Soni Roll No. 116150
144. Vinod Beniwal Roll No. 121761
145. Suresh Kumar Roll No. 103337
146. Rakesh Kumar Jangir Roll No. 119287
147. Megh Shyam Singh Roll No. 102822
148. Rakesh Kumar Roll No. 121149
149. Priyavrat Singh Roll No. 123555
150. Vishal Choudhary Roll No. 118647
151. Soniya Verma Roll No. 115016
152. Mohan Lal Soni Roll No. 103070
153. Ajay Vikram Singh Roll No. 118645
154. Hansraj Khatik Roll No. 120589
155. Dalip Singh Roll No. 122559
156. Anil Kumar Roll No. 118283
157. Sunita Meena Roll No. 118232
158. Jitender Kumar Berer Roll No. 119496
159. Honey Tak Roll No. 102326
160. Vinod Kumar Chauhan Roll No. 122088
161. Ranveer Singh Roll No. 120604
162. Indra Chand Kumawat Roll No. 121286
163. Kaushal Singh Roll No. 103135
164. Rajesh Kumar Yadav Roll No. 117265
165. Ajay Kumar Roll No. 114922
166. Pranay Choudhary Roll No. 116767
167. Tara Chand Roll No. 114283





168. Dharmpal Gharu Roll No. 121513
169. Sundeep Kumar Moond Roll No. 114347
170. Isarat Roll No. 120517
171. Surender Singh Roll No. 106120
172. Rajesh Kumar Roll No. 102712
173. Vijay Shree Rawat Roll No. 102380
174. Kamlesh Choudhary Roll No. 117063
175. Vijay Kumar Roll No. 114085
176. Yogesh Kumar Roll No. 102567
177. Mohd. Akram Roll No. 123134
178. Monita Prakash Chhipa Roll No. 118889
179. Kanhaiya Lal Saini Roll No. 119770
180. Nisha Chaudhary Roll No. 103363
181. Gulab Chand Arya Roll No. 118950
182. Vimallesh Kumar Choudhary Roll No. 120756
183. Suresh Kumar Budania Roll No. 102271
184. Manish Sidhawat Roll No. 100904
185. Aditi Sharma Roll No. 102273
186. Praveen Kumar Sogra Roll No. 119492
187. Kamla Kumari Roll No. 120657
188. Mukesh Kumar Choudhary Roll No. 122516
189. Gajendra Arya Roll No. 114403
190. Nafeesa Bano Roll No. 118497
191. Krishan Kumar Saini Roll No. 117290
192. Ranjee Devi Bishonoi Roll No. 120557
193. Parmod Kumar Thori Roll No. 118100
194. Vikas Choudhary Roll No. 103286
195. Bhupinder Singh Roll No. 117620
196. Pawan Kumar Kataria Roll No. 118282
197. Shikha Rajawat Roll No. 102598
198. Mahendra Kumar Joliy Roll No. 116500
199. Vikram Singh Chouhan Roll No. 103031
200. Roshan Kumar Kotiya Roll No. 102678
201. Vinod Kumar Labania Roll No. 116834
202. Poona Suthar Roll No. 121360
203. Saroj Verma Roll No. 114278
204. Savita Rohtella Roll No. 122053
205. Mahesh Kumar Roll No. 114289
206. Mukesh Kumar Sawariy Roll No. 117537
207. Amit Kumar Meena Roll No. 103427





208. Anju Saini Roll No. 103412
209. Akash Singh Meena Roll No. 119077
210. Mahesh Kumar Khinchi Roll No. 123060
211. Surender Khadia Roll No. 102470
212. Asha Choudhary Roll No. 123140
213. Mahish Kumar Sogara Roll No.119503
214. Kanhaiya Lal Buri Roll No. 116533
215. Malti Yadav Roll No.100854
216. Ashok Kumar Roll No. 103019
217. Dinesh Lohia Roll No. 119501
218. Sita Sharma Roll No. 119451
219. Priyanka Chauhan Roll No. 121357
220. Hari Singh Doria Roll No. 121212
221. Shirin Ghorl Roll No. 102659
222. Shainee Dubey Roll No. 115003
223. Ashok Kumar Meena Roll No. 102527
224. Tripti Bharti Roll No. 115075
225. Rohit Meena Roll No. 119380
226. Neetu Harsh Roll No. 102913
227. Krishanpal Singh Bha Roll No. 116565
228. Nand Lal Meena Roll No. 103303
229. Amardeep Chouhan Roll No. 117086
230. Ramsingh Roll No. 103311
231. Ved Prakash Meena Roll No. 121346
232. Kuldeep Singh Baroli Roll No. 114469
233. Vikram Meena Roll No. 114753
234. Sandeep Sonthwal Roll No. 121298
235. Yogesh Kumar Karhana Roll No. 117805
236. Sapan Kumar Roll No. 117437
237. Sanjay Kumar Meena Roll No. 120689
238. Ashok Kumar Roll No. 118064
239. Sanjay Kumar Sarowa Roll No. 116843
240. Anil Kumar Meena Roll No. 102933
241. Sapna Verma Roll No. 120230
242. Brijendra Singh Sure Roll No. 121430
243. Man Mohan Gurjar Roll No. 117942
244. Murlidhar Gurjar Roll No. 112393
245. Nihal Singh Roll No. 118392
246. Sughan Bai Meena Roll No. 102606
247. Om Prakash Meena Roll No. 121623





248. Naresh Parnami Roll No. 116811
249. Dhaamveer Singh Maha Roll No. 103437
250. Surendra Khatri Roll No. 121918
251. Vikram Singh Meena Roll No. 114502
252. Babu Lal Meena Roll No. 120393
253. Amar Singh Meena Roll No. 103306
254. Babita Pippal Roll No. 102447
255. Anita Meena Roll No. 114028
256. Kuldeep Talati Roll No. 103482
257. Ravi Shankar Meena Roll No. 102059
258. Jitendra Kumar Meena Roll No. 114532
259. Vikas Sharma Roll No. 103339
260. Mukesh Karol Roll No. 117562
261. Sunita Chawla Roll No. 102181
262. Pramila Choudhary Roll No. 103207
263. Surbhi Rathore Roll No. 102301
264. Vinod Kumar Dabi Roll No. 119258
265. Kailash Chand Meena Roll No. 116923
266. Bau Lal Meena Roll No. 122157
267. Savita Ahlawat Roll No. 102869
268. Mamta Devi Chanwla Roll No. 103121
269. Hemant Meena Roll No. 103296
270. Lokesh Kumar Meena Roll No. 100880
271. Kishor Singh Roll No. 102794
272. Deepa Jajoria Roll No. 119355
273. Brij Lata Verma Roll No. 122825
274. Suman Bai Roll No. 103318
275. Chitra Chauhan Roll No. 118354
276. Kavita Verma Roll No. 121306
277. Anjna Arya Roll No. 117194
278. Jetha Ram Roll No. 118307
279. Urmila Verma Roll No. 100988
280. Manju Verma Roll No. 100674
281. Sarika Bajpai Roll No. 116701
282. Rekha Choudhary Roll No. 114184
283. Seema Meena Roll No. 116967
284. Anju Lata Meena Roll No. 120346
285. Sunita Kumari Meena Roll No. 102382
286. Guddi Meena Roll No. 114977
287. Anita Verma Roll No. 118108





288. Manisha Meena Roll No. 114417

Respondents no. 8 to 288 through Secretary, Rajasthan Public Service Commission Ghoghra Ghati, Ajmer, Rajasthan.

Respondents



S.B. Civil Writ Petition No. 268/2016

1. Bhawani Singh Shekhawat S/o Sh. Sangram Singh shekhawat, aged about 37 years, R/o C- 291-292, Murlipura Scheme, Sikar Road, jaipur- 302039 (Raj.)[9602484848]

2. Ajay Khandal S/o Sh. Sanwar Mal Sharma aged about 30 years, R/o Plot No. 354, 4-C, Jamnapuri, Murlipura, Jaipur (Raj.) [9468673474]

----Petitioner

Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Room No. 7020, 7226 Food Building, Secretariat, Jaipur - 302005 Rajasthan

2. Rajasthan Public Service Commission Through Its Secretary, Ghoghra Ghati, Ajmer, Rajasthan

S.B. Civil Writ Petition No. 977/2016

Kanhaiya Lal Balae son of Mool Chand, aged about 36 years, resident of Basdi Jogiyam, Post Dabla, Thesil Phagi, District Jaipur (Rajasthan).

----Petitioner

Versus

1. The State of Rajasthan through Principal Secretary, Department of Law, Government of Rajasthan, Secretariat, Jaipur (Rajasthan).

2. The Rajasthan Public Service Commission through its Secretary,



Ajmer.

3. The Director (Prosecution), State of Rajasthan, Secretariat, Jaipur.

-----Respondent

S.B. Civil Writ Petition No. 1001/2016

1. Meenu Bariwal D/o Shri S.R. Kataria, aged about 39 years, Resident of B-62, Ganesh Nagar, New Sanganer Road, Sodala, Jaipur, Rajasthan. (Roll No. 114281).
2. Praveen Kumar Karagwal S/o Shri Gopi Ram Karagwal, aged about 37 years, Resident of VPO Phusewala Via Mirzewala, Village & Tehsil Karanpur, District Shriganganagar, Rajasthan. (Roll No. 114240).
3. Kum. Laxmi Devi D/o Shri Sheetal Chand Jain, aged about 36 years, R/o Bhandari Colony, Near S.B.B.J. Bank, Sayala, District Jalore, at present residing at 4/451, Pradhan Marg, Malviya Nagar, Jaipur, Rajasthan. (Roll No. 114862).
4. Kapil Dev Sharma S/o Shri Satish Chandra Sharma, aged about 37 years, Resident of near Bus Stand Alwar, District Alwar, Rajasthan. (Roll NO. 114013).
5. Kishore Kumar Fulwariya S/o Ghisu Lal Fulwariya, aged about 40 years, Resident of Jatiyo Ka Mohalla, Bhinmal, District Jallore. Rajasthan. (Roll No.114678).
6. Ratan Kumar S/o Shri Ram Lal, aged about about 38 years, Resident of Meghwalo Ka Bada Vas, Opposite Ramdev Temple, Nadol, Tehsil Desar, District Pali, Rajasthan. (Roll NO. 114462).

-----Petitioner

Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Secretariat, Jaipur - 302005 Rajasthan.
2. Rajasthan Public Service Commission Through Its Secretary, Ghooghra Ghati, Ajmer, Rajasthan.

S.B. Civil Writ Petition No. 1412/2016

Nirmala Meena D/o Shri Ramcharan Meena, aged about 37 years, by caste Meena, Resident of Plot No. 98, Imliwala Phatak, Janakpuri_II, Jaipur, Rajasthan (Roll No. 114466).

-----Petitioner



Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Secretariat, Jaipur - 302005 Rajasthan.
2. Rajasthan Public Service Commission Through Its Secretary, Ghooghra Ghati, Ajmer, Rajasthan.

S.B. Civil Writ Petition No. 2626/2016

Shikha Sharma D/o Shri Bhikha Lal Sharma, aged about 31 years, Resident of F-78, Mohan Nagar, behind S.D.M. Court, Hindaun City, District Karauli, Rajasthan (Roll No. 114093).

----Petitioner

Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Secretariat, Jaipur - 302005 Rajasthan.
2. Rajasthan Public Service Commission Through Its Secretary, Ghooghra Ghati, Ajmer, Rajasthan.

----Respondent

S.B. Civil Writ Petition No. 3408/2016

Rajni Kuba D/o Shri Vijay Chopra, Wife of Shri Saurabh Kuba, aged about 39 years, resident of 55, Patel Nagar, Behind Ram Mandir, Hawa Sarak, 22 Godam, Civil Lines, Jaipur (Raj.)

----Petitioner

Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Room No. 7020, 7226, Food Building, Secretariat, Jaipur-302005 Rajasthan
2. Rajasthan Public Service Commission Through Its Secretary, Ghooghra Ghati, Ajmer Raj.

S.B. Civil Writ Petition No. 9922/2016

Raju Ram S/o Shri Paka Ram, aged about 38 years, by caste-Sargara, Resident of -GA, 35 Tagore Nagar Near Karni Mata Mandir, Tehsil & District- Pali, Rajasthan (Roll No. 115301).





----Petitioner

Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Secretariat, Jaipur - 302005 Rajasthan.
2. Rajasthan Public Service Commission Through Its Secretary, Ghooghra Ghati, Ajmer, Rajasthan.

----Respondent

S.B. Civil Writ Petition No. 10222/2016

Sandeep Bagdi S/o Shri Radhe Shayam Bagdi, R/o B.h.k. 32, Gandhi Nagar, Naaka Madaar, Ajmer, Rajasthan. Roll No. 114684

----Petitioner

Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Secretariat, Jaipur - 302005 Rajasthan.
2. Rajasthan Public Service Commission Through Its Secretary, Ghooghra Ghati, Ajmer, Rajasthan.

----Respondents

S.B. Civil Writ Petition No. 14969/2016

1. Niranjn Vyas S/o Shri Shiv Dayal Vyas, Behind Mahesh Bhawan, Daga Mohalla, Bikaner Raj.
2. Meenu Verma D/o Shri Mohan Lal Verma, Village Nathawala, Tehsil Shahpura, District Jaipur Raj.

----Petitioners

Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Room No. 7020, 7226 Food Building, Secretariat, Jaipur - 302005 Rajasthan
2. Rajasthan Public Service Commission Through Its Secretary, Ghooghra Ghati, Ajmer, Rajasthan

----Respondents

S.B. Civil Writ Petition No. 17399/2016

Mohsin Khan Son Of Shri Abdul Sattar, R/o, Plot No. 6, Sitaram Colony, Outside Gangapole Gate, Bas Badanpura, Jaipur Raj.

----Petitioner





Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Room No. 7020, 7226, Food Building, Secretariat, Jaipur-302005 Rajasthan
2. Rajasthan Public Service Commission Through Its Secretary, Ghooghra Ghati, Ajmer Raj.

----Respondents

S.B. Civil Writ Petition No. 17785/2016

Sunita D/o Shri Ishwari Lal, R/o, A-10, Ganga-Jamuna Colony, Dadi Ka Phatak, Murlipura, Jaipur, Rajasthan Roll No. 114852

----Petitioner

Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Secretariat, Jaipur - 302005 Rajasthan
2. Rajasthan Public Service Commission, Through Its Secretary, Ghooghra Ghati, Ajmer, Rajasthan

----Respondents

S.B. Civil Writ Petition No. 17814/2016

1. Rajender Singh Poonia S/o Ganpat Singh Poonia, Vpo Meharadasi Via- Mandawa, Distt. Jhunjhunu Raj.roll No.- 114022
2. Amit Vyas S/o Chandra Prakash Vyas, Sanjay Nagar Colony, Behind Jalore Club, Distt.- Jalore Raj. Roll No-114990
3. Anita Sankhla D/o S.r.kataria, M8-A, Anandpuri, Moti Dungri Road, Jaipur Raj.roll No-115096
4. Ajit Singh S/o Jai Singh, Village Post Momanpur Talwad, Thesil-Behror, Distt.- Alwar Rajroll No.-115267
5. Rampal Sharma S/o Ramvilas Sharma, 33/7 Shipra Path, Mansarovar, Jaipur Raj.roll No. 103488
6. Omprakash S/o Sujaram, Village Post Bawarla, Tehsil-Sanchore, Distt.- Jalore Rajroll No-114981
7. Sanjay Kumar S/o Sh. Bhagu Ram, Village Kulod Khurd, Post- Khatehpura, Distt.- Jhunjhunurajroll No-103404
8. Sandhya Kumari Utwal D/o Suresh Kumar, B-74, Near Hotel Basant, Opp- Airport Terminal-1, Post Sanganer, Tehsil-



Sanganer, Distt.- Jaipur Rajroll No 114902

9. Neetu Kumari D/o Khemchand, House No. 510/43, Kapil Vastu Colony, Gali No.-3, Post- Dhola Bhata, Distt. Ajmer Raj.roll No 114303

----Petitioners

Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Room No. 7020, 7226 Food Building, Secretariat, Jaipur-302005 Rajasthan
2. Rajasthan Public Service Commission Through Its Secretary, Ghooghra Ghati, Ajmer, Rajasthan

----Respondents

S.B. Civil Writ Petition No. 122/2017

Jai Dev Son Of Shri Devendra Kumar Chaudhary, R/o Chaudhary, Raja Ji Ka Bas, Near Police Line, Alwar-301001

----Petitioner

Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Room No. 7020, 7226 Food Building, Secretariat, Jaipur-302 005 Rajasthan
2. Rajasthan Public Service Commission Through Its Secretary, Ghooghara Ghati, Ajmer Raj.

----Respondents

S.B. Civil Writ Petition No. 2336/2017

Anurag Choudhary S/o Shri Ummad Singh, 156, Girnar Colony South, Vaishali Nagar, Jaipur Raj.

----Petitioner

Versus

1. State Of Rajasthan Through Director, Department Of Prosecution, Room No. 7020, 7226, Food Building, Secretariat, Jaipur-302005 Rajasthan
2. Rajasthan Public Service Commission Through Its Secretary, Ghooghra Ghati, Ajmer, Rajasthan

----Respondents



S.B. Civil Writ Petition No. 11922/2016

Ghanshyam Yadav S/o Shri Ranveer Singh Yadav, aged about 34 years, resident of Village Shahapur, Post Gunta, Tehsil Bansu, District Alwar, Rajasthan.

----Petitioner

Versus

Rajasthan Public Service Commission Through Its Secretary,
Ghooghra Ghati, Ajmer, Rajasthan

----Respondents

For Petitioner(s)	: Mr. R.N. Mathur, Sr. Adv. assisted by Mr. Prateek Mathur Mr. Girraj Prasad Sharma Mr. Tanveer Ahamad with Mr. Rakesh Dhawan Mr. Zaid Ul Haq
For Respondent(s)	: Mr. M.F. Baig Mr. Pradeep Kalwania, G.C. with Mr. Shivam Chauhan Mr. Rajendra Soni with Mr. Vishal Soni Mr. Ashish Sharma Mr. Bhagwat Singh

HON'BLE MR. JUSTICE SAMEER JAIN

Order

REPORTABLE

Reserved on **13/05/2024**

Pronounced on **12/07/2024**

1. In the present batch of writ petitions, the scope of the controversy involved is identical. Therefore, with the consent of learned counsel appearing on behalf of both the sides, the present of batch of petitions is being jointly taken up for final disposal. For the purpose of recording arguments, S. B. Civil Writ Petition No. 1022/2016 is being taken up as the lead file.



2. The instant petition is filed with the following prayers:

"1. That the entire selection process of APO Exam, 2015 and result dated 19.11.2016 may kindly be quashed and set aside and further direction to initiate fresh selection process be given or in alternate the action-omission of the respondents in not selecting the petitioners in the final result of APO Exam, 2015, for the post of APO declared on 19.11.2016 on the basis of equated marks and not as per actual marks obtained by them may be declared arbitrary & be quashed and set aside and accordingly the respondents may be directed to take into account the actual marks secured by the petitioners in the written examination for the appointment on the post of Assistant Prosecution Officer, in pursuance of the advertisement (Annx.1).

2. The respondents may be directed to allow the petitioners, having more than cut-off marks, to appointment on the post of APO Grade-II, in the interest of justice.

3. Any other appropriate order, which may be found just and proper in the facts and circumstances of the case, be passed in favour of the petitioners."

3. Learned counsel for the petitioner submitted that an advertisement dated 15.05.2015 was issued by the respondent-RPSC for recruitment on the post of Assistant Prosecution Officer (APO). As per the scheme of the examination, the selection process consisted of two stages i.e. Written Examination and Interview. The former stage i.e. written examination, consisted of two papers, wherein the candidates were required to score 35% marks in each paper independently and 40% marks in aggregate to qualify for the subsequent stage of 'Interview'. The petitioner participated in the written examination held on 18.10.2015 at the





allotted center in Udaipur. Subsequently, the respondent-RPSC issued a press note dated 20.10.2015, wherein it was mentioned that due to some technical error at the examination centers in Udaipur and Alwar, the Paper-I Examination (Online) of the candidates could not start/commence and therefore, the Paper-I and Paper-II Examination shall be re-conducted on 25.10.2015, for those candidates who were allotted the aforementioned examination centers. The petitioners duly participated in the said re-examination.

4. In this background, learned counsel for the petitioners averred that there was a significant difference in the difficulty level of the two examinations so conducted on 18.10.2015 and 25.10.2015, and therefore, in a purported attempt to iron out the discrepancies, the respondent-RPSC introduced the unusual, unscientific and arbitrary method of 'scaling' of marks. It was argued that on account of said scaling of marks, a huge difference arose between the marks actually obtained by the candidates as opposed to those reflected in the revised result, post-scaling. Therefore, as a result of said scaling, the petitioners failed to qualify for the subsequent stage of the selection process i.e. the interview. At this stage, learned counsel averred that the fact of adopting the method of 'scaling' was not spelled out in the advertisement and therefore, the same could not be adopted at a subsequent stage. Moreover, even the rules of the respondent/RPSC do not recognize the said method of scaling.



Therefore, the mere adoption of such a method has vitiated the entire selection process, which has resulted into the arbitrary ousting of the petitioners from the selection process, on account of them not having qualified for the interview.

5. Learned counsel for the petitioners also submitted that as per the RTI information so procured vide letter dated 26.04.2023, 19 vacancies/seats still subsist as on date. In support of the arguments advanced, reliance was placed upon the dictum of the Hon'ble Apex Court as enunciated in **Sanjay Singh and Anr. Vs. U.P. Public Service Commission** reported in **(2007) 1 SCC 639**. Reliance was also placed upon the dictum of the Division Bench of this Court as enunciated in **Sarita Noushad and Ors. Vs. RPSC and Ors.** reported in **(2009) 4 WLC 679** and **Rishabh Saxena Vs. State of Rajasthan and Ors.** reported in **(2015) 1 WLC 335**. Having placed reliance upon the said judgments, it was conclusively argued that the adoption of the scaling formula, on the basis of the expert's recommendation has no nexus in the legal field, therefore, advancing misleading results, especially when such a method was not spelled out in the rules/advertisement.

6. *Per contra*, learned counsel for the respondents, at the very outset, raised a preliminary objection regarding the maintainability of the present petition as on date. In this regard, it was averred that the subject advertisement was issued for recruitment in the Year 2015. As on date, approximately 8 years



have lapsed since the advertisement was floated. Moreover, in the meanwhile, for recruitment on the post of APO considering the vacancies, subsequent advertisement(s) have been issued and much water has flowed under the bridge. Furthermore, it was averred that during the pendency of the proceedings before this Court, no interim protection was extended in favour of the petitioners. Hence, as on date, the petitions have been rendered infructuous due to the efflux of time.

7. Learned counsel for the respondents, on merits, submitted that it is settled position of law that in extraordinary situations/circumstances appropriate decisions can be taken by the administering body in the larger public interest. In this regard, it was averred that on account of certain technical disturbances/malfunctioning at the examination centers in Udaipur and Alwar, the requisite examination could not commence and as a result had to be rescheduled afresh. Therefore, in order to perpetuate uniformity and neutralize the varying degrees of difficulty between the former and subsequent papers, the method of equipercentile scaling was introduced, pursuant to having received suggestions from a body of experts, in the larger public interest. As a result, to hash out the differences in difficulty and ensuring uniformity, the equipercentile method was adopted. Learned counsel further submitted that as on date, no vacancy subsists. It was reiterated that time and again, the Hon'ble Apex Court as well as Division Bench of this Court have expounded that



in extraordinary circumstances, legitimate decisions can be taken to cater to the larger public administration and public satisfaction and correspondingly the equipercentile method, which is scientific in nature, could be used to perpetuate uniformity amongst the candidates whist hashing out the differences and the difficulty level of the two examinations. In support of the arguments advanced, reliance was placed upon the dictum enunciated in **Ranjana Atal Vs. Rajasthan University of Health Service & Ors.** reported in **(2022) 11 SCC 578** and **SBCWP No.4088/2022** titled as **Gourav Sharma vs. Rajasthan Public Service Commission.**

8. Lastly, during the course of arguments, the experts appointed by respondent-RPSC, who were present in the Court, submitted that the application of the equipercentile method, in the facts and circumstances of the case, was the logical and rational method for preparation of the merit list, having a scientific and statistical approval.

9. Heard and considered the arguments advanced by learned counsel appearing on behalf of both the sides, scanned the record of the petitions and perused through the judgment cited at Bar.

10. At the outset, prior to the adjudication on merits, this Court deems it appropriate to take note of certain germane facts and/or stipulations necessary for the efficacious disposal of the *lis* at hand. They are noted herein-under:





10.1 That the subject advertisement for recruitment on the post of Assistant Prosecution Officer (APO) was issued in the Year 2015. As on date, approximately 9 years have lapsed since the issuance of the said advertisement. Moreover, subsequently, distinct advertisements for recruitment on the post of APO have been issued as well.

10.2 That on account of certain technical malfunctioning/glitches at the examination centers in Udaipur and Alwar, the requisite examination could not start and as a result, had to be rescheduled afresh.

10.3 That the level of difficulty between the examinations conducted on 18.10.2015 and 25.10.2015 varied and therefore to equate and hash out the said differences qua difficulty the respondent-RPSC introduced the equipercentile method for the preparation of the merit list.

10.4 That the equipercentile method was adopted by the respondent-RPSC with due approval of the Chairman and after duly considering the opinion expounded by the experts.

10.5 That the equipercentile method was uniformly adopted at large qua all the candidates and not as an alternate approach qua a select few candidates.

10.6 That during the pendency of the proceedings before this Court, no interim protection was operative in favour of the petitioner.



11. Upon a cumulative consideration of the forgoing stipulations, this Court deems it appropriate to dismiss the instant petition on the following grounds, namely:-

11.1 That the subject advertisement for recruitment on the post of Assistant Prosecution Officer (APO) was issued approximately 9 years ago i.e. on 15.05.2015. In the meantime, qua recruitment on the post APO, considering the vacancies, subsequent advertisement(s) have been issued. Therefore, as on date, much water has flown under the bridge qua the selection process of the Year 2015, especially when the selection process has already culminated. As on date, extension of interference in the present petition would be an exercise steeped in futility and of mere academic importance, capable of vitiating the entire selection process of the Year 2015 at a belated stage, especially when no interim protection was operative in favour of the petitioners.

11.2 That the arguments advanced by the petitioners regarding introduction and/or adoption of the equipercentile method being arbitrary, non-scientific and unjust cannot be countenanced for the reasons that the said method was only uniformly introduced in order to circumvent the extraordinary challenge posed by the differing level of difficulty in the examinations conducted on 18.10.2015 and 25.10.2015. It cannot be said that the equipercentile method was adopted in the regular course; rather, it was only on account of the subsequent developments such as the administering of the subsequent examination on account of



technical glitches, that such a method was adopted. Moreover, it cannot be said that the introduction of the equipercentile method was unjust and/or discriminatory, as the same was uniformly applicable qua all the candidates appearing in the examination for recruitment on the post of APO. Having said that, it goes without saying that as the equipercentile method was adopted in an extraordinary situation which arose on account of subsequent facts, the same could not be reflected in the body of the advertisement.

11.3 That in the aforementioned extraordinary situation, the equipercentile method was adopted by the respondent-RPSC with due approval of the Chairman, after duly considering the opinion of the experts. Moreover, the said method was made applicable qua all the candidates uniformly *sans* discrimination. Thus, it can very well be inferred that there was no *mala fide*, fraud, concealment or suppression qua the applicability of the equipercentile method.

11.4 That the universal applicability, acceptance and validity of the equipercentile method can also be inferred from the dictum enunciated in **Ranjana Atal (Supra)** and **Gourav Sharma (Supra)**.

In **Ranjana Atal (Supra)**:-

"8. The University received 393 grievances. About 200 grievances were for re-conduct of examination because of fear of students pointing out the difficulty index of the two papers for the





same kind of examination and variation of marks allotted to the students. It is relevant to mention that no complaint was received regarding corruption, unfair means, paper leakage and impersonation. The major grievance left to answer by University was equivalence and uniformity of the result of students appeared in Pre P.G. Medical/Dental Examination, 2012 on two different days on 11.02.2012 and 14.02.2012 by some methodology so there should not be any advantage and disadvantage for any candidate appeared in this examination. Looking towards the entire scenario of other various national and international recruitment and competitive examination, like Manipal University, GRE, TOEFL, USMLE, which are conducted for the same objective on different days with different types of question papers, but the marks finally awarded by them are adjusted by the statistical equivalence in terms of equalization of percentile and finally the result of all the students appeared on different days is displayed in terms of inter-se merit. The methodology of applying this statistical equivalence in the result is accepted nationally and internationally and also proved in the Court of Law.

43. In view of above authoritative pronouncements, we find no force in the submissions of the learned counsel for the appellants that relief granted by the Single Bench was not prayed for in the writ petition or it is contrary to the relief prayed for in the writ petition. The Single Bench was absolutely legal and justified in considering the subsequent events regarding decision of the respondent-University to apply SEP procedure for the purpose of preparing inter-se merit of 11.02.2012 and 14.02.2012 examinees and in directing the respondents to publish the revised merit list of all the candidates introducing SEP method and to give admissions on that basis.

44. In *Harish Verma and others Vs. Ajay Srivastava and another(supra)*, the Hon'ble Apex





Court considered Regulation 9 relating to selection of Post Graduate students and in para 18 thereof, while considering several conclusions, one of the conclusions that there can be only one common entrance test for determining eligibility for post-graduation for in-service candidates and those not in service, was taken into consideration. In the present case, there was common entrance test on 11.02.2012, however, due to technical fault in computer server at one center, a decision was taken to hold the examination of that particular center on 14.02.2012 and looking to unexpected result of that one particular center, where examination took place on 14.02.2012, the Academic Council, Core Committee and Grievance Committee took a decision to invite grievances from the concerned candidates and thereafter, a decision was taken by University to apply the SEP system. Therefore, looking to the facts and circumstances of the present case, the judgment of Hon'ble Apex Court in Harish Verma's case(supra), is not applicable and is distinguishable.

46. In our view, the learned Single Judge was absolutely right in not interfering with the decision of respondent- University in this regard."

In Gourav Sharma (Supra):-

32. In view of the above discussion, these writ petitions filed by the petitioners deserve to be dismissed for the reasons; firstly by applying the formula of scaling since as many as 14 different optional subjects including grouping was available the respondent provided same level playing field to all the candidates and hence the scaling formula has been rightly applied by the expert body; secondly there is no allegation that the paper/question is out of syllabus as prescribed under the Rules; thirdly the Full Commission has taken a conscious decision based on the report of the expert for applying





the formula of scaling, therefore, this Court cannot sit as an Appellate Court on the decision taken by the experts in the field as has been held by the Hon'ble Supreme Court in the matter of UPSC Vs. M. Sathiya Priya; fourthly the candidates have challenged the procedure after participating in the selection process, in my considered view the petitioners are estopped to challenge the same after participating in the same in view of the judgment passed by the Hon'ble Supreme Court in the matter of Ashok Kumar (supra); fifthly out of 32382 candidates, only 17 candidates have approached this Court by filing the present writ petitions without there being any allegation of malafide either against the Chairman or Members of the Board, therefore in view of the judgment passed by the Hon'ble Supreme Court in the matter of State of U.P. & Ors. Vs. Atul Kumar Dwivedi & Ors. (supra), the writ petitions deserve to be dismissed and; lastly in the facts and circumstances, I am not inclined to exercise the jurisdiction of this Court under Article 226 of the Constitution of India."

11.5 That the equipercetile method was adopted and given sanction to by the respondent-RPSC only in an extraordinary situation, which could not be foreseen at the time of the issuance of the advertisement. Therefore, the judgments relied upon by the petitioner are factually distinguishable.

12. Therefore, in the light of the foregoing observations, the instant petition is dismissed. Pending applications, if any, stand disposed of.

(SAMEER JAIN),J

