HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

D.B. Spl. Appl. Writ No. 264/2020

Reenu W/o Harinarayan, D/o Shri Chandarbhan, aged about 27 years, resident of Post Suratpura, Village Sadau, Tehsil Rajgarh, District Churu (Rajasthan).

----Appellant

Versus

1. State Of Rajasthan, Through its Secretary, Medical, Health and Family Welfare Department, Rajasthan, Jaipur.
2. Director, Medical and Health Services, Jaipur, Rajasthan.
3. Additional Director (Administration), Medical and Health Services, Jaipur, Rajasthan.

----Respondents

For Appellant(s) : Mr. Chaitanya Gahlot

HON'BLE MR. JUSTICE SANGEET LODHA
HON'BLE MR. JUSTICE RAMESHWAR VYAS

Order

21/08/2020

1. This intra-court appeal is directed against the order dated 30.1.2020 passed by learned Single Judge of this Court, whereby the writ petition preferred by the petitioner claiming that her candidature should have been considered as a Scheduled Caste candidate, has been dismissed.

2. Learned counsel appearing for the appellant contended that the appellant had taken the professional training as a candidate belonging to Scheduled Caste category and her name was also included in the merit list in the category of Scheduled Caste. However, this aspect of the matter has not been considered by the learned Single Judge.

3. Indisputably, the appellant was born in Haryana and married to Hari Narain – a Scheduled Caste, resident of Rajasthan.

4. As laid down by a Bench of this Court vide order dated 13.8.19 rendered in the matter of State of Rajasthan & Ors. Vs Chitra Devi : D.B. Special Appeal (Writ) No.1960/2018, the appellant cannot be considered as a member of Scheduled Caste in the State of Rajasthan.

5. We are not inclined to take a different view.

6. Accordingly, the appeal is dismissed in light of Bench decision of this Court in Chitra Devi's case (supra).

(RAMESHWAR VYAS),J **(SANGEET LODHA),J**

123-Vij/-

RAJASTHAN HIGH COURT
सत्यमेव जयते