HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Writ Petition No. 11955/2020

Moola Ram Rewar S/o Pusa Ram, Aged About 32 Years, R/o Village Ladpur, Post Gelasar, Tehsil Makrana, District Nagaur (Raj.).

----Petitioner

Versus

1. The State Of Rajasthan, Through Its Secretary, Animal Husbandry Department, Government Secretariat, Jaipur.
2. The Director, Department Of Animal Husbandry, Government Of Rajasthan, Jaipur.
3. The Secretary, Rajasthan Subordinate And Ministerial Services Selection Board, Jaipur O/o State Institute Of Agriculture Management Premises, Durgapura, Jaipur.

----Respondents

For Petitioner(s)	:	Mr. Sushil Solanki
For Respondent(s)	:	Mr. Anil Kumar Gaur, AAG } both through Cisco Webex App

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JUSTICE DINESH MEHTA

Order

15/12/2020

1. The petitioner has preferred the present writ petition with the grievance that though he is an Outstanding Sportsperson, his candidature has not been considered as such, though he had secured marks more than the persons in Outstanding Sportsperson category who have been offered appointment.

2. Mr. Solanki, learned counsel for the petitioner, firstly invited Court’s attention towards the certificates (Annex.2) produced by him and asserted that petitioner having secured Silver Medal is entitled to be considered as Outstanding Sportsperson.

3. Mr. Anil Gaur, learned AAG, per contra submitted that the petitioner has not even claimed his candidature as Outstanding Sportsperson inasmuch as in relevant column of the application form (Annex.4) which required a candidate to indicate as to whether he/she is an Outstanding Sportsperson, the petitioner had clearly mentioned "No".

4. Informing that since petitioner did not claim his candidature as an Outstanding sportsperson, learned AAG argued that the petitioner's case as projected at this stage, is wholly misconceived.

5. He further submitted that select list was published way back on 17.01.2020 and the petitioner has approached this Court by way of filing present writ petition on 03.11.2020 which suffers from inordinate delay.

6. In rejoinder Mr. Solanki asserted that the petitioner had corrected the application form on 19.05.2018 and the same was registered at the same application number and thus the petitioner's candidature ought to have been considered by the respondents under the category of Outstanding Sportsperson.

7. It is noteworthy that assertion of Mr. Solanki, that the petitioner had corrected/amended his application form on 19.05.2018 has not been made in the memo of the writ petition. Even copy of the corrected/amended application form has not been placed on record.

8. This being the position, verbal assertion made by Mr. Solanki, cannot be taken note of.

9. The petitioner having failed to establish that he has applied under Outstanding Sportsperson category, coupled with the fact that the result had been declared in January, 2020 and

recruitment is since over, this Court does not find it to be a case warranting interference in extraordinary writ jurisdiction.

10. Writ petition is, therefore, dismissed.

11. Stay petition is also dismissed.

(DINESH MEHTA),J

38-Amar/-

RAJASTHAN HIGH COURT

सत्यमेव जयते