HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 2883/2024

1. Pankaj Kumawat S/o Shri Murlidhar Kumawat, Aged About 35 Years, R/o Sector No.-02, House No. -15/B, Gandhinagar, District Chittorgarh, Rajasthan.
2. Vishal Joshi S/o Shri Ashok Kumar Joshi, Aged About 45 Years, R/o Joshiyon Ka Bass, Borunda, District Jodhpur, Rajasthan.

----Petitioners

Versus

1. The State Of Rajasthan, Through Its Principal Finance Secretary, Secretariat, Rajasthan, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Department Of Personnel And Training, Government Of Rajasthan, Government Secretariat Jaipur.
3. The Director, Treasury And Accounts Department, Rajasthan, Jaipur.
4. Rajasthan Staff Selection Board, Through Its Secretary, Agriculture Management Institute Building, Durgapura, Jaipur, Rajasthan.
5. Rajasthan Staff Selection Board, Through Its Chairman, Agriculture Management Institute Building, Durgapura, Jaipur, Rajasthan.

----Respondents

Connected with

S.B. Civil Writ Petition No. 6879/2024

1. Aarav Muradya S/o Shri Mauji Ram Meena, Aged About 31 Years, R/o Industrial Area Didwana, Lalsot, District Dausa, Rajasthan.
2. Udhister Nagar S/o Shri Ramprakash, Aged About 35 Years, R/o Village Kankariya, Post Kaithuda, Tehsil Nainwa, District Bundi, Rajasthan.
3. Pravindra Kumar S/o Shri Satyaveer Singh, Aged About 40 Years, R/o Vpo Deolawas, Tehsil Buhana, District Jhunjhunu, Rajasthan.

----Petitioners

Versus

1. The State Of Rajasthan, Through Its Principal Finance Secretary, Secretariat, Rajasthan, Jaipur.
2. State Of Rajasthan, Through Principal Secretary, Department Of Personnel And Training, Government Of Rajasthan, Government Secretariat, Jaipur.
3. The Director, Treasury And Accounts Department, Rajasthan, Jaipur.
4. Rajasthan Staff Selection Board, Through Its Secretary, Agriculture Management Institute Building, Durgapura, Jaipur, Rajasthan.
5. Rajasthan Staff Selection Board, Through Its Chairman, Agriculture Management Institute Building, Durgapura, Jaipur, Rajasthan.
6. Golu Meena S/o Shri Rakesh Meena, R/o Village Ramgarh Pachwara, District Dausa, Rajasthan.

----Respondents

For Petitioner(s)	:	Mr. Raghu Nandan Sharma with Mr. Nikhil Kumawat Ms. Kritika Rajawat Mr. Abhinav Shrivastava
For Respondent(s)	:	Mr. B.S. Chhaba, AAG Mr. Sandeep Taneja, AAG with Mr. Aditya Sharma Ms. Manju Joshi, AGC with Mr. Shriram Jakhar Mr. Amit Lubhaya Mr. Avinash Choudhary Mr. Hardik Singh Mr. Digvijay Singh Mr. Aniket Beniwal Mr. Aditya Raj Mr. Gaurav Sharma Mr. Shreyans Jain Mr. Devesh Rajoria Ms. Garima Gothwal

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HON'BLE MR. JUSTICE SAMEER JAIN

Order

06/12/2024

Learned counsel for the petitioners has submitted that vide advertisement dated 21.09.2022 the respondents had invited applications for the posts of Junior Accountant and Tehsil Revenue Accountant. It is further submitted that in clause 5 of the said advertisement eligibility and educational qualifications are mentioned for the said posts (Annexure-2).

Furthermore, it is submitted that age criteria and educational qualification criteria is distinguishable according to the posts mentioned in the advertisement wherein, minimum age required for the posts of Tehsil Revenue Accountant and Junior Accountant are mentioned as 21 to 40 years, and qua the educational eligibility, in addition to graduation other educational qualifications/appropriate courses are also required.

Additionally, it is submitted that vide advertisement dated 20.06.2023 (Annexure-7) for the posts of Junior Accountant and Tehsil Revenue Accountant approximately 5190 and 198 vacancies were issued respectively.

It is further submitted that controversy in the instant matter arose when the condition stating that the candidates who have obtained the minimum cut-off marks in the respective categories, (15 times of the advertised posts) will be eligible to appear in the examination for the said posts, was violated by the respondents.

Per contra, learned counsel for the respondents has raised a preliminary objection qua the *locus standi* of the petitioner and has submitted that even if the ground qua age and educational qualifications of the petitioners is considered momentarily, the petitioners will not be eligible under the 15 times criteria as mentioned in the advertisement. It is further submitted that

nothing in the writ petition has discharged the said onus qua falling under the 15 times category.

In light of the same, it is submitted that the issuance of interim order has resulted in undue hardship to public employment and public at large, moreover has even affected the smooth functioning/operation of the recruitment process. Thus the present petitions are nothing but sheer abuse of process of law.

At this nascent stage, learned counsel for the petitioners seeks to withdraw the present petitions with liberty to approach the Court again in future, if need so arises.

Accordingly, the present petitions are dismissed as withdrawn with the aforesaid liberty being granted. Interim order(s), if any, shall stand inoperative/vacated.

Pending applications, if any, stands disposed of.

(SAMEER JAIN),J

DEEPAK/s-277-278