



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



D.B. Civil Writ Petition No. 1076/2025

1. Lokesh Kumar S/o Shri Kheta Ram, Aged About 43 Years, R/o 5, Bangla, Abu Road, District Sirohi (Rajasthan) And Working As Teacher Under Respondent No. 4.
2. Mahendra Bijaniya S/o Shri Bhagirath Bijaniya, Aged About 57 Years, R/o 5, Bangla, Abu Road, District Sirohi (Rajasthan) And Working As Teacher Under Respondent No. 4.

-----Petitioners

Versus

1. Union Of India, Through General Manager, North - Western Railway, Power House Road, Jaipur (Rajasthan).
2. Principal Chief, Personnel Officer, Head Officer North - Western Railway, Power House Road, Jaipur (Rajasthan).
3. Divisional Railway Manager, North-Western Railway, Manisha Road, Division Office, Ajmer (Rajasthan).
4. Senior Divisional Mechanical Engineer (Diesel), North-Western Railway, Abu Road, District Sirohi (Rajasthan).
5. Lokesh Vishwakarma S/o Shri Sunil Kumar Vishwakarma, Tech. Grade -1, Diesel Shed, Abu Road, Sirohi (Rajasthan).

-----Respondents

For Petitioner(s)	:	Mr. Mahendra Godara
For Respondent(s)	:	Mr. K.R. Meghwal Mr. K.K. Shah

**HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA**

Order

23/03/2026

Heard learned counsel for the parties.

2. The present writ petition has been filed against the judgment and order dated 22.08.2024 passed by the Central Administrative



Tribunal, Jodhpur in Original Application No.427/2024 whereby the original application preferred by the petitioners have been dismissed.

3. Briefly noted the facts of the present writ petition are that the petitioners being liable for the post of Junior Engineer (Diesel Ancillary) applied and appeared in the examination conducted by the respondents on 26.05.2024. The petitioners after appearing in the examination could not qualify the same. Being disqualified in the examination, they submitted that the grievance through e-mail to the officials respondents stating that out of 110 questions 32 questions were out of syllabus and therefore, the rejection of their candidature is de hors the law. The representation filed by the petitioner was not entertained on account of the ground that the same was not raised within a period of three days from the date of examination. Hence, the petitioners filed original application before the Tribunal. The Tribunal, after hearing the counsel for the parties, rejected their original application vide order dated 22.08.2024. Hence, the present writ petition has been filed.

4. Learned counsel for the petitioner vehemently submitted before this Court that the Central Administrative Tribunal has committed an error while rejecting their original application simply on the ground that the petitioners have approached the respondents after having failed in the examination. Learned counsel submitted that out of 110 questions, 32 questions were out of syllabus in the examination conducted by the respondents. Therefore, the grievance was genuine and the same having not been entertained by the respondent, a grave injustice has been committed in their case. Learned counsel therefore, prays that the



respondents may be directed to re-conduct the examination in accordance with law by giving proper opportunity to the petitioners.

5. Per contra, learned counsel for the respondents submits that the grievance if any against the examination is required to be submitted to the respondent authorities within a period of three days. Since the representation was received after expiry of three days of the examination, therefore, the same was not entertained. Learned counsel for the respondents submits that the petitioners have approached the Tribunal and this Court after having failed in the examination, therefore, the Tribunal has rightly rejected their original application. Learned counsel for the respondents has relied upon the judgment of Hon'ble Supreme Court in *Karnati Ravi & Anr. vs. Commissioner Survey Settlements and Land Records & Ors.*; 2017 AIR (SC) 3611.

6. We have considered the submissions made at Bar and have gone through the relevant record of the case.

7. It is undisputed that the petitioners have appeared in the examination conducted by the respondents for the post of Junior Engineer (Diesel Ancillary) on 26.05.2024. The petitioners have raised grievance that out of 110 questions, 32 question were out of course. However, this grievance was raised after an expiry of three days of the examination whereas the respondents made it very clear that if any candidate is having any objection with respect to the examination conducted, he/she shall submit the objection within a period of three days from the examination. Since the grievance of the petitioners was raised after expiry of three days from the examination, the respondents had not



entertained the same. The Tribunal has also rejected the original application only on the ground that the grievance raised by the petitioners was after expiry of three days.

8. In any case, we are of the view that the grievance of the petitioners has rightly been rejected, may be on the ground of raising the same after expiry of three days but it also got fortified from the fact that once the petitioners have appeared in the examination and they have failed in the same, it does not lie in the mouth of the petitioners to challenge the validity of the question paper. In any case, if at all it was there, the same was to be required within the time frame. In the considered opinion of this Court, there is no error committed by the Tribunal while rejecting the original application of the petitioners and therefore, we are not inclined to entertain the present writ petition.

9. Consequently, the present writ petition being devoid of merit, is dismissed.

(CHANDRA SHEKHAR SHARMA),J (VINIT KUMAR MATHUR),J

29-T.Singh, Chandani/-