

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

S. B. Civil Writ Petition No. 4372/2026

PETITIONER:-

Mamta Bala Verma W/o Late Shri Rakesh Kumar, D/o Shri Satish Kumar Verma, aged about 42 years, R/o Ward No. 7, Mohalla Sarkari Holi Tibba, Tehsil Rajgarh, District Churu, Rajasthan.

Versus

RESPONDENTS:-

1. State of Rajasthan, Through the Principal Secretary, Department of Administrative Reforms (Group-3), Government Secretariat, Jaipur, Rajasthan.
2. The Rajasthan Staff Selection Board (RSSB), through its Secretary, State Agriculture Management Institute Campus, Durgapura, Jaipur, Rajasthan.

For Petitioner	:	Mr. Puna Ram Sen Advocate.
For Respondents	:	Mr. Praveen Khandelwal Additional Advocate General with Mr. Manish Patel Advocate.

HON'BLE MR. JUSTICE ANAND SHARMA

Judgment

27/04/2026

1. The petitioner has filed instant writ petition with following prayers:

"It is, therefore, respectfully prayed that this writ petition may kindly be allowed and, by an appropriate writ order or direction: -

a. The record of the case may kindly be called for;

b. The impugned email/communication dated 29.01.2026 (Annexure-9) rejecting the Petitioner's request for category change, and the action of the Respondents in not including the name of the Petitioner in the list of candidates shortlisted for Detailed Application Form filling/Document Verification vide Press Release dated 05.02.2026 (Annexure-11), may kindly be quashed and set aside.

c. The respondents may be directed to treat the Petitioner under the OBC-Widow category instead of OBC-Married

category, considering the death of her husband occurred on 29.07.2025, i.e., during the pendency of the recruitment process.

d. The respondents may be directed to accept the Detailed Application Form and Scrutiny Form of the Petitioner either online or offline, verify her documents, and considering her marks (70.9852) which are higher than the cut-off (0.0035), afford her appointment on the post of Class IV Employee with all consequential benefits including seniority and pay fixation from the date persons lower in merit to the Petitioner are appointed.

e. Any other appropriate writ, order or direction which this Hon'ble Court may deem just and proper in the facts and circumstances of the case may kindly be passed in favour of the petitioner.

f. Writ petition filed by the petitioner may kindly be allowed with costs."

2. Learned counsel for the petitioner submits that the petitioner applied for recruitment on the post of Class IV Employee pursuant to Advertisement dated 12.12.2024 issued by the respondents under Other Backward Class (Non-Creamy Layer) category, describing her as married. However, husband of the petitioner passed away on 29.07.2025 and a death certificate was also issued on 19.08.2025. Thereafter, the petitioner participated in written examination held on 19.09.2025. Result of the written examination was declared on 16.01.2026 and the petitioner secured 70.9852 marks which were above cut off marks of OBC-Widow category, i.e. 0.0033 marks.

3. Learned counsel for the petitioner further submits that faced with the above situation, the petitioner submitted representation dated 20.01.2026 to the respondents praying therein for change her category from OBC to OBC-Widow category and treating her candidature accordingly. However, vide e-mail/communication dated 29.01.2026 sent by the respondents, prayer of the petitioner for change for her category was declined. Thereafter, press releases have been issued by the respondents on

05.02.2026 and 06.02.2026 for conducting documents verification of the successful candidates, but the petitioner has been excluded from the said process.

4. Learned counsel for the petitioner submitted that the respondents, while adopting mere technicalities, have acted in a manner which defeated the very spirit of the Constitution. It is submitted that impugned e-mail/communication dated 29.01.2026, rejecting representation of the petitioner, is arbitrary and suffers from non application of mind as the recruitment process is still continuing and the same will culminate only upon issuance of appointment orders of the successful candidates. The petitioner informed the respondents regarding change in her status immediately after declaration of the provisional result and before documents verification process. Since, the petitioner has secured more marks than the cut off marks of OBC-Widow category, therefore, her category ought to have been changed from OBC to OBC-Widow category and thereafter, her candidature ought to have been considered for recruitment on the post of Class IV Employee.

5. Learned Additional Advocate General appearing on behalf of the respondents opposed the writ petition and submitted that the writ petition filed by the petitioner is completely misconceived. Result of the petitioner has been released according to the category which she filled in at the time of submission of her application form and after declaration of result of written examination, change in the category of a candidate cannot be allowed. It is further submitted that admit card of the petitioner was uploaded on the portal of the respondents well within time

informing that written examination is scheduled to be held on 19.09.2025 and husband of the petitioner expired on 29.07.2025. Therefore, the petitioner was having sufficient time for applying for change of her category to OBC-Widow. However, when the result of the written examination was declared, then only, the petitioner came to know that she had secured 70.9852 marks which were below the cut-off marks of OBC category, i.e., 128.3747 and above cut-off marks of OBC-Widow category, i.e., 0.0033 marks. Therefore, the representation submitted by the petitioner has rightly been rejected by the respondents. In support of his arguments, learned Additional Advocate General placed reliance upon the decision of Co-ordinate Bench of this Court in the case of **Munni Devi vs. State of Rajasthan & Another (S.B. Civil Writ Petition No. 4599/2026 decided on 01.04.2026)**.

6. I have heard learned counsel for the parties and perused the material on record.

7. A bare perusal of Clause 17 of the advertisement issued by the respondents would make it clear that in order to obviate any possibility of discrepancies in the application as well as to grant opportunities to the candidates for making necessary correction in the application form, provisions have been made, where on two different occasions rectification in the application form was allowed. Firstly, the candidate could have made rectification within seven days from the last date of filing of application form and as per Clause 17(ii) of the advertisement, even if any candidate fails to make rectification and could not avail the first opportunity then, after completion of examination, second

opportunity would be granted to the respective candidate for making necessary corrections.

8. In the instant case, before appearing in the examination, the petitioner was issued admit card, in which also category of the petitioner was shown as 'OBC' and not as 'OBC Widow', even then, the petitioner did not raise any objection and appeared in the examination as 'OBC' candidate. Even after examination, Board has issued one press note as well as published it on its official website granting opportunity of rectification in the application form even after completion of examination. However, the petitioner even then did not submit any application for seeking the necessary rectification.

9. It is only after declaration of result, when the petitioner found that she has not secured proper place in the selection list as per the category filed by her, she submitted representation before the respondents, which was not entertainable as per the Scheme of examination declared by respondent-Board.

10. It is settled proposition of law that category of the candidate cannot be allowed to be changed at subsequent stage, as held by the Co-ordinate Bench of this Court at Principal Seat, Jodhpur in **D.B. Civil Writ Petition No.15900/2021 (Mustak Khan Vs. The Rajasthan High Court Jodhpur & Ors.)**, the relevant portion of the aforesaid decision is reproduced as hereunder:-

"5. On the other hand, learned counsel for the respondents while relying on the judgment of this Court in Sunil Bhanwariya v. Registrar, Examination Cell, RHC, Jodhpur & Anr. submits that the petitioner having participated in the preliminary examination in the General category cannot raise this issue at belated stage after declaration of the result for the post of District Judge.

8. In the considered opinion of this Court, having participated in the examination and knowing that he has applied in the General category, he cannot be allowed to change his category from General to OBC (NCL) category. No prima facie case is made out by the petitioner. He did not file any proof to the effect that he made any endeavour to change his category in the application form from General to OBC (NCL)."

11. The Co-ordinate Bench of this Court, while dealing with somewhat similar situation, in the case of **Munni Devi (supra)**, held as under:

"13. This Court has considered the view of the Hon'ble Division Bench in **Piyush Kaviya and others versus Rajasthan Public Service Commission and others (D.B. Spl. Appl. Writ No. 198/2018)**, wherein it has been held that in large-scale public recruitment, the process is necessarily technology-driven and structured around strict timelines, with specific opportunities provided to candidates to rectify errors through a correction window. The relevant paragraph of the aforesaid judgment is reproduced hereunder:-

"29. It needs to be highlighted that seeking public employment the number of applicants swell into thousands for every appointment offered. The cumbersome process of processing the applications manually and at each stage of the selection process manual intervention being time consuming, aid of technology is being taken. On-line applications are being received. Opportunities to correct mistakes in the on-line application forms are provided by opening a window period. When the window period closes, the forms, applications etc. as amended are processed. The computer generates the admit cards. The results of the examination are fed in the computer for various categories of posts and in the instant case, the number being 30, select list based on merits and categories are generated by the computer. The candidates need to be vigilant and specially when, as in the instant advertisement, they were cautioned time and again to check their particulars and a window period within which corrections could be made was made available to the candidates.

30. Whilst it may be true that every endeavour should be made to induct meritorious candidates but at the same time administrative inconvenience caused by permitting applicants to correct errors committed by them has to be kept in mind. It serves public interest that appointments to civil posts are made as early as possible."

14. In view of the aforesaid facts and the settled legal position, this Court is of the considered opinion that the petitioner, despite having clear knowledge of the incorrect reflection of her category at the stage of issuance of the admit card, failed to avail the first opportunity that was provided before the issuance of admit card that is seven days from the date of the cut off date i. e. 19.04.2025 of the application form and second opportunity was given after the date of issuance of admit card by way of press note dated 07.10.2025 during the period from 06.10.2025 to

*16.10.2025, both the opportunities expressly provided by the respondents for correction of the application form. The recruitment process, being strictly governed by notified conditions and timelines, casts a duty of due diligence and vigilance upon the candidates, which the petitioner has failed to discharge. The law laid down by the Co-ordinate Bench as well as the Hon'ble Division Bench in **Piyush Kaviya (supra)** clearly mandates that no post facto modification can be permitted after closure of the correction window, as the same would disrupt the sanctity and finality of a technology-driven selection process and cause administrative inconvenience."*

12. In the light of above discussion as well as the decisions of this Court as referred to above, this Court does not find any ground to interfere in the instant writ petition and, the same, is hereby, dismissed.

13. Pending application(s), if any, shall stand disposed of.

(ANAND SHARMA),J