

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

S.B. Civil Writ Petition No. 6145/2026

Sunita Devi W/o Late Shri Krishan Kumar, Aged About 40 Years,
Resident Of Ward No.24, New 33, Rawatsar, Tehsil Rawatsar,
District Hanumangarh Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary,
Department Of Revenue, Government Of Rajasthan,
Secretariat, Jaipur.
2. The District Collector, Hanumangarh, Rajasthan.
3. The Sub-Divisional Officer, Rawatsar, District
Hanumangarh.
4. The Tehsildar, Rawatsar, District Hanumangarh.

-----Respondents

For Petitioner(s)	:	Mr. Rajendra Kumar Soni
For Respondent(s)	:	

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

23/03/2026

1. The present writ petition has been filed with the following prayers:

"a) It may kindly be declared that the petition notification dated 19.02.2019 (Annex.-3) as the petitioner is fulfilling the condition for providing the benefit of reservation of Economically Weaker Section

b) The concern respondents may kindly be directed to consider the application of the petitioner (Annex.-5) for issuance of Economically Weaker Section Certificate and issue the certificate in this regard as the petitioner is fulfilling the condition for issuance of Economically Weaker Section Certificate.

c) The petitioner may kindly be treated as Economically Weaker Section category candidate and accord the benefit of reservation provided for Economically Weaker Section category candidate

in the selection process of Class-IV employees commenced by advertisement dated 12.12.2024 (Annexure-10)."

2. Learned counsel for the petitioner submits that the respondents have erroneously declined to issue the EWS certificate in favour of the petitioner solely on the premise that she has an OBC certificate issued by the State of Haryana whereas as per circular dated 20.10.2023 (Annexure-9), any woman who migrates to the State of Rajasthan after marriage, although would not be entitled for the benefit qua OBC category but then would definitely be entitled for issuance of an EWS certificate as a General category candidate, if she belongs to the EWS category.
3. It is an admitted position that the petitioner has migrated to the State of Rajasthan after her marriage. It is also an admitted position that she has been denied the issuance of an EWS certificate solely on the premise that her OBC category certificate was issued by the State of Haryana. Furthermore, it is an admitted position that the petitioner applied for the EWS certificate considering herself to be a General category candidate.
4. Circular dated 20.10.2023 (Annexure-9) provides as under:-

“अन्य राज्य की महिला को ओ.बी.सी. प्रमाण पत्र के आधार पर राजस्थान में किसी भी भर्ती में ओ.बी.सी. वर्ग का आरक्षण देय नहीं है, परन्तु ओ.बी.सी. प्रमाण पत्र के आधार पर उसे आरक्षण के अलावा अन्य लाभ प्राप्त हो सकते हैं। अतः अन्य राज्य की कोई ओ.बी.सी. युवती राजस्थान में किसी ओ.बी.सी. युवक से शादी करती है और उसने राजस्थान में ओ.बी.सी. का प्रमाण पत्र नहीं बनवाया है तो उसे राजस्थान में सामान्य वर्ग की मानते हुए ई.डब्ल्यू.एस. का प्रमाण पत्र जारी किया जा सकता है। ऐसी युवती को ई.डब्ल्यू.एस. का प्रमाण पत्र के आधार पर भर्तियों में ई.डब्ल्यू.एस. आरक्षण का लाभ मिल सकता है।

अन्य राज्यों के आरक्षित वर्गों के ऐसे अभ्यर्थी जो विवाहोपरान्त राजस्थान राज्य के मूल निवासी बन गये हैं, को ई.डब्ल्यू.एस. आरक्षण के सम्बन्ध तदनुसार कार्यवाही की जाये।”

5. In view of the above specific Clause, the present writ petition is **disposed of** with a direction to the respondent authorities to consider the application (Annexure-5) of the petitioner as filed for issuance of an EWS certificate. If the petitioner complies with all the other conditions as prescribed for issuance of an EWS certificate, she be issued the same in accordance with law within a period of four weeks from now. The earlier rejection of the application would not preclude the competent authority from reconsidering the application.

6. Stay petition and pending applications, if any, stand disposed of.

(SANJEET PUROHIT),J