

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

S.B. Civil Writ Petition No. 6762/2026

Suresh Kumari D/o Shri Partap Singh, W/o Shri Vikram Singh,
Aged About 34 Years, Resident Of Village Jainpuriya Khalas, Post
Hadiyal, Tehsil Rajgarh, District Churu, Rajasthan.

-----Petitioner

Versus

1. The State Of Rajasthan, Through The Secretary,
Department Of Social Justice And Empowerment
Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. The Secretary, Department Of Personnel, Government Of
Rajasthan, Secretariat, Jaipur, Rajasthan.
3. The District Collector, Churu, Rajasthan.
4. The Sub Division Officer, Tehsil Rajgarh, District Churu,
Rajasthan.
5. The Tehsildar, Tehsil Rajgarh, District Churu, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. Puna Ram Sen

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

27/03/2026

1. Learned counsel for the petitioner submits that the controversy in question rests covered by the judgment passed by this Court in ***S.B. Civil Writ Petition No.9180/2025; Sunita Rani Vs. State of Rajasthan & Ors.*** (decided on 26.05.2025). He, however submits that the only distinguishing factor in the present petition is that the present petitioner is a Scheduled Caste candidate, who applied in the General (EWS) category.
2. In the case of ***Sunita Rani*** (supra), it was observed and held as under:

"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. Learned counsel for the respondent-State is not in a position to refute the above submission in terms of circular dated 20.10.2023 (Annexure-9).

4. 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.

5. 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।"

6. 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."

3. In view of the above, the present writ petition is disposed of in the same terms and conditions as in the case of Sunita Rani (supra).

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

(KULDEEP MATHUR),J

55-Arun/-