

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

D.B. Spl. Appl. Writ No. 634/2025

1. State Of Rajasthan, Through The Principal Secretary, Department Of Women And Child Development, Government Of Rajasthan, Jaipur.
2. The Director, Directorate, Integrated Child Development Services, 2, Jalpath, Gandhi Nagar, Jaipur.
3. The Deputy Director (Administration), Integrated Child Development Service, Rajasthan, Jaipur.
4. The Deputy Director, Women And Child Development Department, Banswara.
5. The Child Development Project Officer, Women And Child Development Department, Chhoti Sarwan, District Banswara.

----Appellants

Versus

1. Rajkumar S/o Shri Yadram, R/o Village/post Mundiya, Tehsil Todabhim, District Karauli.
2. The Rajasthan Subordinate And Ministerial Services Selection Board, State Institute Of Agriculture Management Premises, Durgapura, Jaipur Through Its Secretary.

----Respondents

Connected With

D.B. Spl. Appl. Writ No. 635/2025

1. State Of Rajasthan, Through The Principal Secretary, Department Of Women And Child Development, Government Of Rajasthan, Jaipur.
2. The Director, Directorate, Integrated Child Development Services, 2, Jalpath, Gandhi Nagar, Jaipur.
3. The Deputy Director (Administration), Integrated Child Development Services, Rajasthan, Jaipur.
4. The Deputy Director, Women And Child Development Department, Sirohi.
5. The Child Development Project Officer, Women And Child Development Department, Abu Road, District Sirohi.

----Appellants

Manoj Kumar Sharma S/o Shri Om Prakash Sharma, Near Girls School, Ramgarh Road, Mukam Post Deedwana, Tehsil Lalsot, District Dausa.

-----Respondent

D.B. Spl. Appl. Writ No. 835/2025

1. State Of Rajasthan, Through The Principal Secretary, Department Of Women And Child Development, Government Of Rajasthan, Jaipur.
2. The Director, Directorate, Integrated Child Development Services, 2, Jalpath, Gandhi Nagar, Jaipur.
3. The Deputy Director (Administration), Integrated Child Development Service, Rajasthan, Jaipur.
4. The Deputy Director, Women And Child Development Department, Banswara.
5. The Child Development Project Officer, Women And Child Development Department, Chhoti Sarwan, District Banswara.

-----Appellants

Versus

1. Suresh Choudhary D/o Shri Jawahar Lal Choudhary, W/o Shri Suraj Pal Singh Choudhary, R/o Shiv Colony, Dudu Road, Malpura, District Tonk.
2. The Rajasthan Subordinate And Ministerial Services Selection Board, State Institute Of Agriculture Management Premises, Durgapura, Jaipur Through Its Secretary.

-----Respondents

D.B. Spl. Appl. Writ No. 1280/2025

1. State Of Rajasthan, Through The Principal Secretary, Department Of Women And Child Development, Government Of Rajasthan, Jaipur.
2. The Director, Directorate, Integrated Child Development Services, 2, Jalpath, Gandhi Nagar, Jaipur.
3. The Deputy Director (Administration), Integrated Child Development Services , Rajasthan, Jaipur.
4. The Deputy Director, Women And Child Development

Department, Banswara.

5. The Child Development Project Officer, Women And Child Development Department, Chhoti Sarwan , District Banswara.

----Appellants

Versus

1. Anita Kumari D/o Shri Richhpal, R/o Village Hejampura, Post Indali, District Jhunjhunu.
2. The Rajasthan Subordinate And Ministerial Services Selection Board, State Institute Of Agriculture Management Premises, Durgapura, Jaipur Through Its Secretary.

----Respondents

D.B. Spl. Appl. Writ No. 1399/2025

1. State Of Rajasthan, Through The Principal Secretary, Department Of Women And Child Development, Government Of Rajasthan, Jaipur.
2. The Director, Directorate, Integrated Child Development Services, 2, Jalpath, Gandhi Nagar, Jaipur.
3. The Deputy Director, (Administration), Integrated Child Development Department, Banswara.
4. The Deputy Director, Women And Child Development Department, Banswara.
5. The Child Development Project Officer, Women And Child Development Department, Chhoti Sarwan, District Banswara.

----Appellants

Versus

1. Nortaram Latar S/o Shri Dena Ram, R/o Village Dhawa, Tehsil Merta City, District Nagour.
2. The Rajasthan Subordinate And Ministerial Services Selection Board, State Institute Of Agriculture Management Premises, Durgapura, Jaipur Through Its Secretary.

----Respondents

D.B. Spl. Appl. Writ No. 1469/2025

1. State Of Rajasthan, Through The Principal Secretary,

Department Of Women And Child Development,
Government Of Rajasthan, Jaipur.

2. The Director, Directorate, Integrated Child Development Services, 2, Jalpath, Gandhi Nagar, Jaipur.
3. The Deputy Director (Administration), Integrated Child Development Service, Rajasthan, Jaipur.
4. The Deputy Director, Women And Child Development Department, Banswara.
5. The Child Development Project Officer, Women And Child Development Department, Chhoti Sarwan, District Banswara.

----Appellants

Versus

1. Sohanlal S/o Shri Khinyaram Meghwal, Aged About 31 Years, Village/post Kerap, Tehsil Didwana, District Nagour.
2. The Rajasthan Subordinate And Ministerial Services Selection Board, State Institute Of Agriculture Management Premises, Durgapura, Jaipur Through Its Secretary.

----Respondents

For Appellant(s)	: Mr. Sajjan Singh Rathore, AAG Mr. Yuvraj Singh Rathore.
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HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA

Order

09/02/2026

1. The present appeals arise out of a common judgment dated 15.12.2023 passed by the learned Single Judge, therefore, the appeals are decided by this common judgment.
2. The present appeals are reported to be time barred for different durations of time and, therefore, applications under

Section 5 of the Limitation Act have also been filed for condonation of delay.

3. Heard learned Additional Advocate General.

4. While hearing the appeals on section 5 of the Limitation Act, we have examined the merits of the appeals too.

5. The issue involved in the present appeals is that while the respondents were working as pre primary education teachers in the Anganwadi Centre, an advertisement was issued by the State Government for Pre Primary Education Teachers Direct Recruitment Examination, 2018. In the said advertisement, there was a condition being condition No.14 that those persons, who are already in the government services, will apply in the recruitment process after informing their employer in writing.

6. The petitioners-respondents wrote to their competent authorities seeking permission/no objection certificate for appearing in the ensuing recruitment test in pursuance of the advertisement, 2018. Since, the written request submitted by the petitioners-respondents were not responded to and no reply was received by them, therefore, they appeared in the examination and got selected. Thereafter, the petitioners-respondents' employer rejected their application for appearing in the recruitment test of 2018 and, therefore, the petitioners-respondents preferred writ petitions before this Court.

7. Learned Single Bench after hearing the counsel for the parties, allowed the writ petitions on the ground that the condition No.14 in the advertisement was very clear that a prospective candidate, who is already in the government services is only required to inform his employer in writing before appearing in the

recruitment test and since the petitioner-respondents have complied with that condition by writing to their competent authorities seeking no objection certificate, they have complied with the condition No.14 and, therefore, their candidature was required to be considered in the recruitment process and if those candidates are selected, their case was required to be recommended for appointment and the authorities were directed to issue the requisite no objection certificate to the petitioners-respondents for further process of the recruitment.

8. Aggrieved by this common order passed by learned Single Bench, the present appeals have been filed by the appellant – State.

9. Learned AAG vehemently submitted before this Court that if a person, who is already in the government service applies for the recruitment of the same nature of post, then those persons, who are unemployed and aspiring for appointment on those posts will be deprived of their rights. He further submits that the State Government was perfectly justified in not granting No Objection Certificate to those candidates, who are already in government services. He, therefore, prays that the present appeals preferred by the State Government may be allowed and the order dated 15.12.2023 passed by the learned Single Bench may be quashed and set aside.

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

11. Apart from the fact that all these appeals are time barred for different durations of time, we find that the advertisement for recruitment dated 21.08.2018 clearly stipulates in condition No.14

that those persons, who are already in government services, will only inform their employer about appearing in the aforesaid examination. There was no condition to seek a No Objection Certificate and if such certificate is not granted, their candidature will be rejected.

12. For brevity, condition No.14 of the Advertisement dated 21.08.2018 is reproduced as under:-

"14. अनापत्ति प्रमाण पत्र के संबंध में :- सभी आवेदक जो पहले से ही सरकारी नौकरी में है या सरकारी उपक्रमों में नियुक्त है. उन्हें अपने नियोक्ता को इस परीक्षा के लिए आवेदन पत्र प्रस्तुत करने से पूर्व ही लिखित में सूचित करते हुये आवेदन करना चाहिए।"

13. Since the petitioners-respondents have already complied with the condition No.14 by writing/informing to their employer about their appearing in the recruitment process of 2018, therefore, no further action was required on their part.

14. We are in complete agreement with the view taken by the learned Single Bench and, therefore, we are not inclined to condon the delay in filing the present appeals as there is no merit in the present appeals itself.

15. In view of the discussions made above, the applications preferred for condonation of delay are dismissed and for the same reason, the present appeals are also dismissed.

(CHANDRA SHEKHAR SHARMA),J

(VINIT KUMAR MATHUR),J