

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 113/2026
CNR: RJHC020046882026 | URN: SAW / 277U / 2026

Bhagchand Dhobi Son Of Shri Durga Lal Ji, Aged About 51 Years,
Resident Of Kalyan Colony Near Aan Academy School, Ajmer
Road, Kekri, Dist. Ajmer.

----Appellant

Versus

1.

State Of Rajasthan, Through Its Principal Secretary,
Department Of Secondary Education, Government
Secretariat, Jaipur, Rajasthan.
2.

Director, Secondary Education, Rajasthan, Bikaner.
3.

Rajasthan Subordinate And Ministerial Services Selection
Board, Jaipur Through Its Chairman, Rsmssb, State
Agriculture Management Institution Premises, Durgapura,
Jaipur.
4.

Regional Director Northern Region National Council For
Teachers Education, G-7, Sector-10, Dwarka Near Metro
Station Sector-10, New Delhi.
5.

National Council For Teacher Education, Through Its
Director, Hans Bhawan, Wing-Ii, Bahadur Shah Zafar
Marg, New Delhi.

----Respondents

For Appellant(s)

:

Dr. Nitin Soni.

For Respondent(s)

:

Mr. Manoj Sharma, Additional
Advocate General assisted by Ms.
Pooja Sharma.
Mr. Kapil Sharma.
Mr. Nalin G. Narain.
Mr. Dev Ranjan Singh Shekhawat.

HON'BLE MR. JUSTICE INDERJEET SINGH

HON'BLE MR. JUSTICE SANDEEP TANEJA

Order

17/08/2026

1.

Counsel for the appellant submits that the issue involved in
this appeal has already been considered and decided by a co-
ordinate Bench of this Court in the matter of 'Bimla Kumari versus

State of Rajasthan & Ors.' in D. B. SAW No. 152/2023 decided on 27.11.2025 wherein in Paragraphs 13, 14 and 15, it has been held as under:

"13. In the circumstances, we hold that a person who possesses the qualification of Bachelor of Physical Education on completing the three year degree course would be eligible to be appointed as PTI Grade-III and the non-consideration of such a candidate merely by using a short form of 'BPE' and distinguishing it from 'BPED' is a misnomer and an attempt to deprive the more meritorious candidates from appointment.

14. We, therefore, direct that candidature of the appellant shall be considered on merits and if the appellant is found suitable as per the terms of the advertisement, she would be given benefit of consideration for appointment from the date persons lessor to her in the merit having been so appointed with all consequential benefits. However, the benefits will have to be treated as notional but her seniority and her pay fixation notionally shall be done from the date the other persons have been so granted. The actual benefits shall be granted to the appellants-petitioners from the date when the writ petitioners filed the writ petitions.

15. In view of the above, the special appeals are allowed."

2. Counsel for the respondents has not disputed this fact, however, submits that an SLP is pending in this regard before the Hon'ble Supreme Court.

3. In that view of the matter, the appeal stands disposed of in view of the judgment passed in the matter of 'Bimla Kumari' (supra).

(SANDEEP TANEJA),J

(INDERJEET SINGH),J