

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 2797/2026

URN: CW / 6080U / 2026

1. Dr. Neha Sharma D/o. Daya Prakash Sharma, R/o. Vpo Togra Kalan Nawalgarh Jhunjhunu, Presently Working As Senior Resident In Jln Medical College Ajmer.
2. Dr. Madhu Shree Ganoliya S/o. Mr Madan Lal Ganoliya, R/o. Ward No 27, Sadulpur,churu , Pincode -331023, Presently Working As Senior Resident In Skgmc Sikar.
3. Dr. Shyam Sunder Sharma S/o. Ashok Kumar Sharma, Resident Of Near Shyam Kund Vpo Khatushyamji Dist Sikar Rajasthan Pin-332602, Presently Working As Senior Resident In Vmmc And Safdarjung Hospital.
4. Dr. Bhawana Vijayvergia D/o. Jagdish Prasad Bijawat, R/o. 339, Jai Ambey Vihar Colony, Bk Kaul Nagar, Ajmer, 305001, Presently Working As Senior Resident In Jln Medical College , Ajmer.
5. Dr. Hrishikesh Sharma S/o. Suresh Sharma, R/o. Flat Number 602, Parth Residency -6, Sumer Nagar, Mansarovar Ext., Jaipur, Presently Working As Senior Resident In Government Medical College, Sawai Madhopur
6. Dr. Shreya Gupta S/o. Mukesh Chand Garg, R/o. D8 Krishna Nagar Gali No 1 Bajrangnagar Kota Rajasthan Pin- 324001, Presently Working As Senior Resident In Rnt Medical College Udaipur
7. Dr. Devanshu Choudhary S/o. Man Singh Choudhary, R/o. 148, Devdhara Colony, Murlipura Scheme, Jaipur,pin-302039, 324001, Presently Working As Senior Resident In Jln Medical College, Ajmer.
8. Dr. Yamini Meena D/o. Nerpat Singh Meena, R/o. Meeno Ka Mohallah,vajirpura Kalla, Sankhana, District-Tonk. Presently Working As Senior Resident In Gmc, Kota.
9. Dr. Mriganka Ojha D/o. K R Ojha, R/o. 39-A, Sector No 5, Gandhi Nagar, Chittorgarh -312001, Presently Working As Senior Resident In Rnt Medical College, Udaipur.
10. Dr. Kavita D/o. Jodharam, R/o. Vpo- Hasampur Teh - Patan Distt- Sikar, Pincode -332718, , Presently Working As Senior Resident In Skgmc Sikar.

11. Dr. Ranjeet Moray S/o. Trilok Chand Moray, R/o. Q-81 Azad Nagar Bhilwara, , Presently Working As Senior Resident In Rvrs Medical College Bhilwara.
12. Dr. Shantanu Jangir S/o. Trilok Chand Moray, R/o. Q-81 Azad Nagar Bhilwara, Presently Working As Senior Resident In Snmc Jodhpur.
13. Dr. Nisha Dhenwal D/o. R C Dhenwal, R/o. C-3/82 Chitrakoot Vaishali Nagar Jaipur, , Presently Working As Senior Resident In Gmc Alwar.
14. Dr. Neerav S/o. Karan Singh, R/o. Poonia Colony, Gali No. 4, Churu-331001 Presently Working As Senior Resident In Pdumc, Churu.

-----Petitioners

Versus

1. State Of Rajasthan, Through Principal Secretary, Medical Education Department, Jaipur.
2. Director, Medical Education, Rajasthan, Jaipur.
3. Director, Rajasthan Medical Education Society Jaipur, (Rajmes), Govind Marg, Janta Colony, Chikitsa Shiksha Bhawan, Jaipur (Raj.)
4. Additional Director (Administration), Rajasthan Medical Education Society Jaipur (Rajmes), Govind Marg, Janta Colony, Chikitsa Shiksha Bhawan, Jaipur (Raj.)

-----Respondents

For Petitioner(s) : Mr. Laxmi Bharadwaj
For Respondent(s) : Mr. Archit Bohra, AGC

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

02/07/2026

1. This writ petition has been filed by the petitioners with a prayer to quash and set aside the order dated 04.02.2026, prescribing the cut off date as 31.01.2026 for the purpose of experience as required as a Senior Resident for the recruitment to

the post of Assistant Professor in pursuant of the advertisement dated 21.11.2025.

2. The learned Counsel for the petitioner submits that the petitioners were admitted to the post graduate course in the year 2021, but because of the COVID period, they could complete their post graduate course in the year 2025 and therefore, the requirement of experience as a Senior Resident may be relaxed for the purpose of counting the experience as a Senior Resident, the cutoff date may be extended till the declaration of the result.

3. Learned counsel for the respondents submits that as per the recruitment rules, the candidate, seeking recruitment on the post of Assistant Professor, must possess the requisite qualification along with an experience of one year as a Senior Resident as on the cutoff date, that is 31.01.2026, as prescribed in the present case, since the petitioners do not possess the experience of one year as a Senior Resident on the cutoff date, they have been declared ineligible.

4. Learned Additional Government Counsel also referred the order passed by the Coordinate Bench of this Court in case of ***Nitin Kumar Jhalani v. State of Rajasthan***, (S.B. Civil Writ Petition No. 1183/2025), decided on 02.05.2026.

5. Considered the submissions made at bar and also perused the material available on record.

6. As per the facts on record, an advertisement was issued by the Rajasthan Medical Education Society on 21.11.2025, inviting applications for recruitment to the post of Assistant Professor in various specialties. In the advertisement, the requisite educational qualifications and others have also been specifically mentioned

therein. As per the terms and conditions of the advertisement and in view of the recruitment rules, the candidates applying for the post of Assistant Professor must possess postgraduate qualification MD/MS/GMB/MS in (Medical) with PhD. and so also one year experience as Senior Resident in concerned subject as specified in Regulation 8 from a recognized medical institution.

7. Admittedly, the petitioners on the cut off date i.e. 31.01.2026, are not having the experience of one year as a Senior Resident. The petitioners are therefore rightly held to be ineligible for recruitment to the post of Assistant Professor. One of the submission of the learned counsel for the petitioner is that prescribing the cut off date as 31.01.2026 for the purpose of one year experience as a Senior Resident is also not justified.

8. Co-ordinate bench of this court in case of **Nitin Kumar Jhalani (supra)**, observed as under;

"11. Even otherwise, a careful reading of the advertisement reveals that relaxation was granted only in relation to candidates appearing in the final year examination of the requisite educational qualification. The said relaxation was never extended to acquisition of experience. Experience and educational qualification stand on entirely different footings. Educational qualification may sometimes be in the process of acquisition, however, experience by its very nature is a completed factual requirement which must exist on the cut-off date prescribed by the employer.

12. The respondents have specifically clarified that one year Senior Residency experience after acquiring MD/MS degree was mandatory for the post in question. Admittedly, the petitioners had not completed such requisite experience as on the last date fixed for submission of applications. Once the petitioners lacked the essential eligibility condition on the prescribed date, no enforceable right accrued in their favour to seek participation in the recruitment process.

13. It is well settled that the employer or recruiting authority possesses the power to prescribe eligibility conditions and fix a cut-off date for determining

eligibility. Courts ordinarily do not interfere in such policy decisions unless the same are found to be manifestly arbitrary, irrational or contrary to statutory provisions. In the present case, the petitioners have failed to demonstrate any statutory provision prohibiting the respondents from prescribing the last date of submission of applications as the relevant date for acquisition of experience.

14. The contention raised regarding the previous recruitment conducted in the year 2021 also deserves rejection. Merely because a particular stipulation may not have been incorporated in an earlier advertisement does not create any vested right in favour of candidates to insist upon identical conditions in future recruitments. Every recruitment process constitutes an independent exercise and the employer is competent to modify or clarify eligibility conditions in accordance with administrative requirements and statutory rules.

15. This Court also finds merit in the submission advanced on behalf of the respondents that Circular dated 14.03.2002 issued by the Department of Personnel specifically clarifies that where experience is prescribed in addition to educational qualification, relaxation regarding acquisition of experience after the cut-off date cannot be granted. The impugned stipulation is, therefore, fully consistent with the administrative instructions governing recruitment.

16. The law is equally well settled that terms and conditions of advertisement constitute the governing framework of the recruitment process and candidates participating in such process are bound by the same. Courts cannot rewrite eligibility conditions or extend relaxation dehors the statutory rules and terms of advertisement. Acceptance of the plea raised by the petitioners would amount to altering the eligibility criteria after commencement of recruitment, which is impermissible in law.

17. The petitioners admittedly did not possess the mandatory one year Senior Residency experience after acquiring postgraduate qualification on the last date of submission of application forms. Therefore, the respondents committed no illegality in treating them as ineligible

9. This Court also agrees to the observations of the co-ordinate bench made above.

10. In view of the discussions made above, the Court finds no merit in this writ petition.

11. Accordingly, this writ petition is dismissed.

12. However, it is made clear that in case the vacancies remain unfilled, the petitioners would be at liberty to make a representation to the competent authority in view of the remarks in Column A of the Schedule 1 of the Rajasthan Medical Education Society Medical Teachers (Recruitment, Promotion and Pay) Rules, 2024 which may be considered by the respondents in accordance with the law and the rules.

13. Stay application and pending applications, if any, stands disposed of.

(GANESH RAM MEENA),J