

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 2738/2011

Shivraj Khatik S/o Nathulal Khatik, V.p.o. Kanechan Kalan, Tehsil Shahpura, District Bhilwara Raj. At Present Residing At B-473,80 Ft Road, Mahesh Nagar, Jaipur Raj.

-----Petitioner

Versus

1. Rajasthan Public Service Commission Through Its Secretary, Rajasthan Public Service Commission, Ajmer.
2. State Of Rajasthan Through Its Principle Secretary, Secondary Education Department, Government Secretariat, Jaipur.
3. Deputy Secretary, Education Department Group-2, Government Of Rajasthan, Government Secretariat, Jaipur.
4. Director, Secondary Education, Rajasthan, Bikaner Raj.

-----Respondents

For Petitioner(s)	:	Mr. Rajendra Soni, Dr. Nitin Soni
For Respondent(s)	:	Ms. Anamika Arora for Mr. Arvind Sharma, Mr. Devansh Sharma, Dy.G.C.

HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

19/02/2026

1. The writ petition is preferred under Article 226 of the Constitution of India against the respondents with the contentions that, in the advertisement dated 03.09.2008 issued by RPSC for appointment to the backlog post of SC/ST for the post of PTI Grade- II and PTI Grade- III, it was prescribed that one post shall be allotted based on qualification and the participation as well as the position secured in the sports competition/tournaments.

2. It was clearly stated that a candidate who had participated in a State-Level Competition and secured second place would be granted 24 marks. However, vide Annexure-5, despite the petitioner being the runner-up in the 46th state-level sports meet held in 1997-1998, the petitioner was awarded only 20 marks, whereas the petitioner was entitled to 24 marks.

3. It is contended that the petitioner secured 226.62 marks in the third examination. The cut-off marks for appointment to the post of PTI Grade-II were 227.23, and if the respondent had been awarded an additional 4 marks, then the petitioner could have been appointed as PTI Grade-II instead of PTI Grade-III.

4. Therefore, the petitioner is entitled to appointment to the post of PTI Grade-II based on his merit, with an additional 4 marks added.

5. Heard and perused the material available on record.

6. The respondents, in their reply, have admitted the factual position that, as per the advertisement, 24 marks ought to have been awarded to the petitioner for securing second position in the State Level Competition.

7. It is not denied that the petitioner participated in the State-Level Competition and secured second place.

8. It is also not denied that, in the advertisement issued for selection to the posts of PTI Grade-II/PTI Grade-III, candidates securing second position in the State-level competition were entitled to 24 marks.

9. It is apparent from the petitioner's result that in Paper II (Part II), he was awarded 20 marks instead of 24 marks.

Therefore, considering the aforesaid facts, the writ petition of the petitioner is allowed.

10. The petitioner is entitled to be appointed as PTI Grade-II from the date of appointment of other similarly placed candidates in accordance with the advertisement dated 13.09.2008, along with all consequential benefits.

11. The respondents are directed to comply with the order within a time period of three weeks.

(PRAVEER BHATNAGAR),J