

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3411/2026

Jitendra Singh Shekhawat Son Of Bhanwar Singh Shekhawat,
Aged About 42 Years, Resident Of Vpo Lamba, The Chirawa,
Bagar, Jhunjhunu, Rajasthan-333023.

-----Petitioner

Versus

1. State Of Rajasthan, Through Its Secretary, Technical Education Department, Government Of Rajasthan, Secretarite, Janpath, Jaipur.
2. Rajasthan Public Service Commission, Through Its Secretary, Ghooghara Ghati, Jaipur Road, Ajmer 305001.
3. Chairman, Rajasthan Public Service Commission, Ghooghara Ghati, Jaipur Road, Ajmer 305001.
4. Government Of Rajasthan, Through Its Secretary, Department Of Skill, Planning And Entrepreneurship Department, Directorate Of Technical Education, Rajasthan, Jodhpur, W-6, Residency Road, Jodhpur (Rajasthan) - 342001.

-----Respondents

For Petitioner(s) : Mr. Ravindra Saini
For Respondent(s) :

HON'BLE MR. JUSTICE ANAND SHARMA

Order

24/02/2026

1. Petitioner has filed the instant writ petition with following prayers:

"It is, therefore, most respectfully prayed that your lordship may graciously be pleased and accept and allow this writ petition and looking into facts and legal grounds, the Petitioners humbly pray that this Hon'ble Court may kindly be pleased to:

I. Issue an appropriate writ, order or direction in the nature of mandamus directing the respondents to recalculate and implement Ex-

Servicemen horizontal reservation strictly at the rate of 12.5% out of total 63 posts notified under Advertisement No. 12/Exam/G.I./D.T.E./EP-1/2024-25 dated 02.09.2024, thereby allocating approximately 8 posts for Ex-Servicemen category).

II. Issue a writ, order or direction directing the respondents to correct the illegal horizontal distribution of Ex-Servicemen reservation by ensuring proportionate adjustment across all vertical categories, including EWS - Ex-Serviceman category.

III. Quash and set aside the impugned result/list dated 04.12.2025, insofar as it wrongfully rejects/excludes the candidature of the petitioner under EWS-Ex-Serviceman category.

IV. Direct the respondents to consider the candidature of the petitioner (Roll No.1788823) under the EWS-Ex-Serviceman quota and and further selection/appointment to the post of Group Instructor / Surveyor / Assistant Apprenticeship Advisor (Grade-II), if found meritorious.

V. Grant all consequential benefits including appointment, seniority and service benefits, as may be admissible to the petitioner in accordance with law.

VI. Pass any other appropriate writ, order, direction which this Hon'ble Court may deem just, fit, and proper in the facts and circumstances of the present case, in the interest of justice, equity, and good conscience."

2. Learned counsel for the petitioner submits that respondent-Rajasthan Public Service Commission, Ajmer, issued one advertisement dated 02.09.2024 for inviting applications from eligible persons for the post of Group Instructor/Surveyor. The petitioner submitted his application form in EWS/Ex. Serviceman category.

3. Learned counsel for the petitioner also submits that although the petitioner has secured sufficient marks for being included in the merit list, had there been any reservation for EWS category. He further submits that respondents were under an obligation to provide reservation for EWS category, which is mandatory in nature and only on account of not reserving any

vacancies for EWS category, the petitioner could not be included in the select list.

4. Heard learned counsel for the petitioner and perused the record.

5. Bare perusal of the advertisement dated 02.09.2024 would make it clear that it was specifically mentioned in the advertisement that reservation for EWS category was not applicable. Petitioner despite having knowledge of the above fact, participated in the process and after participation, when the petitioner could not be selected, he has approached this Court by way of filing the present writ petition.

6. It is a settled proposition of law that the procedure adopted for the recruitment, when specified in the advertisement, cannot be put to challenge by a candidate, who consciously participated in the recruitment process and on remaining unsuccessful, came out with the plea that the process was wrongly adopted by the recruitment agency.

7. In the case of **Manish Kumar Shahi Vs. State of Bihar & Ors.** reported in **2010 (12) SCC 576**, the Hon'ble Supreme Court has deprecated such practice of challenging the recruitment/selection after remaining unsuccessful in the process.

8. In view of above, the present writ petition filed by the petitioner is devoid of any merit and substance and the same is hereby dismissed.

9. Pending application(s), if any, shall stand disposed of.

(ANAND SHARMA),J