

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 5843/2019

Kusum Lata Kumawat D/o Shri Mali Ram Kumawat, Aged About 33 Years, R/o H.No. 23/41, Near Cricket Stadium Mansoravar, Jaipur, Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary, Department Of Personnel, Govt. Of Rajasthan, State Secretariat, Jaipur, Rajasthan.
2. The Secretary, Rajasthan Public Service Commission, Ajmer, Rajasthan.

-----Respondents

For Petitioner(s)	:	Ms. Pragya Seth
For Respondent(s)	:	Mr. Mirza Faisal Baig Ms. Sweekriti Sharma for Mr. Archit Bohra, AGC

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

18/02/2026

1. The instant writ petition is filed by the petitioner with following prayer:-

"a) By an appropriate writ, order or direction in the nature thereof, the impugned notification dated 15.03.2019 (Annexure-13), consisting revise result of 106 selected candidates against LDC (Gr.II) Recruitment-2013, may kindly be interfered and be directed to be modified to include name of petitioner, by providing her benefit of .70 grace marks in Practical Paper (Section-B) pf Phase-II tests, in terms of the decision of this Hon'ble High Court, rendered **D.B.S.A.W. No. 1666/2017 Babal devi Meena & Ors. Vs. State of Rajasthan & Ors, and other connected matter decided on 27.04.2018 (Annexure-10)** and by considering name of petitioner in merit, the

respondents may kindly be directed to consider name of petitioner for appointment on the post of LDC (Grade-II) against Recruitment-2013, as per her merit position.

(b) By an appropriate writ, order or direction in the nature thereof the impugned Notification dated 16.07.2018 (Annexure-12), issued by the respondent Commission, may kindly be interfered and be directed to modified with direction to the respondents to include name of petitioner in the list of selected candidates, by granting her grace of marks to the extent of .70 (point seventy) marks in Paper-B of Phase-II tests and accordingly petitioner's candidature deserves to be considered for appointment, if she falls otherwise on merit, as per cut-off marks fixed by respondents.

(c) Any other appropriate order or direction, which this Hon,ble Court considers just and proper in the facts and circumstances of this, may kindly be passed in favour of the petitioner."

2. Considered application No.1/2025 filed by learned counsel for the petitioner for disposal of this writ petition in light of judgment dated 27.04.2018 in case of **Babal devi Meena & Ors. Vs. State of Rajasthan & Ors. : DB SAW No.1666/2017**. She further submits that the issue and controversy raised herein has already been decided and set at rest by a Division Bench of this Hon'ble Court, thus, the judgment and ratio laid down in case of **Babal devi Meena & Ors. Vs. State of Rajasthan & Ors.** (supra) is applicable upon the facts of the present case. She further referred order of this Court dated 02.02.2026 in **S.B. Civil Writ Petition No. 4588/2020 (Gayatri Kulria and Anr. Vs. The State of Rajasthan and Anr.)** and submits that on the basis of said ratio in case of **Babal devi Meena & Ors. Vs. State of Rajasthan & Ors.** (supra), the writ petition was disposed.

3. Aforesaid contentions were opposed by learned counsel appearing on behalf of the respondent-RPSC and he submits that

the judgment in case of **Babal devi Meena & Ors. Vs. State of Rajasthan & Ors.** (supra) is not applicable.

4. Considered submissions of learned counsel for the parties and perused the material placed on record.

5. Since an application is filed claiming to be identical facts as that case of **Babal devi Meena & Ors. Vs. State of Rajasthan & Ors.** (supra) as ratio has already been decided by a Division Bench of this Court, the respondents are always at liberty to examine the facts in particular veracity of the facts about applicability of the ratio laid down in aforementioned judgment. Therefore, it is appropriate to dispose of this writ petition in light of ratio laid down in case of **Babal devi Meena & Ors. Vs. State of Rajasthan & Ors.** (supra).

6. Having considered aforesaid, the writ petition is hereby disposed in terms of the order and ratio laid down in case of **Babal devi Meena & Ors. Vs. State of Rajasthan & Ors.** (supra). The respondents are at liberty to verify the facts of the case of the petitioner and if the ratio is applicable on the facts of case as claimed by the petitioner, then same benefit be extended to the petitioner.

7. With the aforesaid, the writ petition stands disposed with misc. application, if any.

(ASHOK KUMAR JAIN),J