

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

D.B. Civil Writ Petition No. 12976 / 2017

Shankar Lal Kumhar

-----Petitioner

Versus

Railway Recruitment Board & Anr

-----Respondent

For Petitioner(s) : Mr. M. P. Singh.

HON'BLE MR. JUSTICE AJAY RASTOGI

HON'BLE MR. JUSTICE DINESH CHANDRA SOMANI

Order

30/01/2018

Counsel for the petitioner submits that petitioner is semi-literate person and the advertisement which came to be issued by the Railway Recruitment Board was so complicated and not possible for semi-literate with minimal assistance available on its command online application was filled by him for the post of Technical Grade-III, Diesel Mechanical Welder (Gas & Electric) and indisputably in the written examination he secured higher marks above the cut off in OBC category which is the sole touch stone for appointment and in the ordinary course he could have been considered for appointment but because of technical fallacy he has been deprived of employment and such hyper technicalities may not come in way to the person depriving him of employment more so when he stands in the order of merit and the Id. Tribunal also found him suitable for appointment but because of technical reason appointment has been denied to him which needs to be

reviewed by this Court.

Issue notice to the respondents alongwith the copy of this order as to why the writ petition may not be disposed of at this stage, returnable by four weeks. Notices may be given 'dasti', if desired.

In the meanwhile, one post of Technical Grade-III, Diesel Mechanical Welder (Gas & Electric) in reference to the advertisement in question shall not be filled, if not filled up so far until further orders.

(DINESH CHANDRA SOMANI)J.

(AJAY RASTOGI)J.

A.Arora/-6.



सत्यमेव जयते