

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal (Writ) No. 416/2026

In

S.B. Civil Writ Petition No.6396/2026

Rajasthan Public Service Commission, Through Its Secretary,
Ghooghra Ghati, Madarpura Jaipur Road, Ajmer.

----Appellant/Respondent

Versus

1. Dr. Sanvar Mal Kantva Son of Ramu Ram Kantva, Aged About 46 Years, Unit 302, 3rd Floor, B-7, Akshat Retreat, C-Scheme, Jaipur, Rajasthan.

---Respondent/Petitioner

2. The State of Rajasthan Through Principal Secretary, Medical Education Department Government Secretariat, Jaipur.

----Respondent

Connected With

D.B. Special Appeal (Writ) No. 417/2026

In

S.B. Civil Writ Petition No.973/2026

Rajasthan Public Service Commission, Through Its Secretary,
Ghooghra Ghati, Madarpura, Jaipur Road, Ajmer.

----Appellant/Respondent

Versus

1. Dr. Amit Kumar Sharma S/o Shri Mohan Lal Sharma, Aged About 39 Years, Resident of House No. 415, Mahavir Nagar II, Kota (Pin 324005).

---Respondent/Petitioner

2. The State of Rajasthan, Through Principal Secretary, Medical Education Department, Government Secretariat, Jaipur.

---Respondent

3. Dr. Sunil Agarwal S/o Girraj Agarwal, Resident of Near Post Office, Ganj Road, Kishangarh Bas, Alwar Rajasthan.

Working At Pulmonary Medicine Dept. Mahatma Gandhi Medical College And Hospital, Jaipur, Rajasthan.

4. Dr. Vinayak Mangal S/o Shri K.K. Mangal, Resident of Ashok Textiles, Near Ghantagarh, Village Paota Jaipur, Rajasthan. Working At Respiratory Medicine Department Institute of Respiratory Disease, SMS Jaipur, Rajasthan.
5. Dr. Piyush Pareek S/o Rajendra Pareek, Resident of Moti Nagar, E-Sector, Sanganeri Road, Bhilwara Rajasthan. Working At Respiratory Medicine Department Tantia Medical College, Shriganganagar, Rajasthan.
6. Dr. Yogendra Singh Rathore S/o Karni Singh Rathore, Resident of A-104, Karni Nagar, Naganichiji Road, Pawanpuri, Bikaner, Rajasthan. Working At Pulmonary Medicine Department AIIMS Jodhpur, Rajasthan.
7. Dr. Monika Keena D/o Shri Bhim Singh Keena, Resident of H.No.04/A, Rotary Circle, Jodhpur, Rajasthan.
8. Dr. Deepti Arora W/o Dr. Piyush Arora, Resident of 26, LIC Colony, Aanasagar Circular Road, Ajmer, Rajasthan.
9. Dr. Manoj Aarya S/o Chunni Lal Aarya, Resident of 65, Tagore Nagar Kartaarpuraa, Jaipur, Rajasthan. Working At Respiratory Medicine Dept (RNT Medical College), Badi, Udaipur, Rajasthan.
10. Dr. Kishor Kameliya S/o Hemraj Kameliya, Resident of Deendayal Park, Shahbaad Road, Baran, Rajasthan.
11. Dr. Vijay Kachhawa S/o Shri Sitaram Kachhawa, Resident of Inside Shitla Gate, Near Mahadev Temple, Bikaner, Rajasthan. Working At Gangashahar Satellite Hospital, Bikaner, Rajasthan.
12. Dr. Amulya Bhati D/o B.D. Bhati, Resident of Near Kesar Desar Well, Behind Junagarh, Bikaner, Rajasthan. Working At Respiratory Medicine Department, JNU Medical College And Hospital, Jaipur, Rajasthan.
13. Dr. Kailash Meena S/o Ramawtar Meena, Resident of Kishorpura Vaya-Ponkh, The Udaipurwati, Jhunjhunu, Rajasthan. Working At Respiratory Medicine Department, JNU Medical College And Hospital, Jaipur, Rajasthan.
14. Dr. Jitendra Kumar Sharma S/o Shri Shravan Kumar,

Resident of Plot No. 97, Shyam Nagar Benar Road Jhotwada, Jaipur Rajasthan. Working At Respiratory Medicine Department Institute of Respiratory Disease, SMS Jaipur Rajasthan.

15. Dr. Vinod Kumar Sharma S/o Prabhu Narayan Sharma, Resident of Village Premapura, Post-Bhateri, Via-Dausa Jaipur, Rajasthan. Working At Pulmonary Medicine Department Fortis Escorts Hospital, Jaipur, Rajasthan.

----Proforma/Respondents

D.B. Special Appeal (Writ) No. 419/2026

In

S.B. Civil Writ Petition No.3323/2026

Rajasthan Public Service Commission, Through Its Secretary, Ghoghra Ghati, Madarpura, Jaipur Road, Ajmer.

----Appellant/Respondent

Versus

1. Dr. Tej Karan Saini Son of Shri Tara Chand Saini, Aged About 44 Years, Resident of Plot No.10, Shubham Vihar, Mahesh Nagar, Tonk Phatak, Jaipur.
2. Dr. Vaibhav Gupta Son of Shri Ashok Gupta, Resident of 847, Vaibhav Villa Ist Mahaveer Nagar, Keshopura, P.I.P. Kota District Kota (Rajasthan).

----Respondents/Petitioners

3. State of Rajasthan Through The Principal Secretary, Department of Medical Education Government of Rajasthan, Secretariat, Jaipur.

----Respondent

For Appellant(s) : Mr. Mirza Faisal Baig

HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BIPIN GUPTA

Order

07/05/2026

1. These are the appeals filed by the Rajasthan Public Service Commission (RPSC) challenging the order dated 15.04.2026 whereby, the learned Single Judge passed the following order:

- "1.Office is directed to tag these petitions together.
- 2.In these connected petitions, the common issue involved is that the candidates have challenged the allocation of marks for the interview. The present issue has already been dealt in identical matter by the Co-ordinate Bench of this Court in **S.B. Civil Writ Petition No. 15018/2024 (Rachita Mathur vs. State of Rajasthan & Ors.)**. Further, the special appeal was filed and the matter is still pending before the Division Bench of this Court in DB Special Appeal Writ Petition No.79/2025 where the matter is at the stage of hearing of arguments.
- 3.Looking to the common issues involved, this Court deems it appropriate to direct the respondent-State and Rajasthan Public Service Commission not to proceed further till the disposal of the special appeal as pending before the Division Bench.
- 4.On the disposal of the special appeal, the respective counsel would be at liberty to file appropriate application for modification/ vacation of the order."

2. The interim order dated 15.04.2026 was passed after hearing both the parties.
3. Learned counsel for the RPSC submits that while passing the order dated 15.04.2026, the contentions of the RPSC with regard to maintainability of the writ petition were not examined.
4. We notice from the reply filed by the RPSC before the learned Single Judge that there was no such preliminary objections raised by the RPSC in their reply and therefore, there was no occasion for first examining any objection.

5. Since there was no preliminary objection raised, the order passed by the learned Single Judge directing the RPSC not to proceed further till the disposal of **D.B. Special Appeal (Writ) No.79/2025 (State of Rajasthan vs. Dr. Rachita Mathur & Anr.)**, cannot be said in any manner to be unjustified.

6. The contentions of the RPSC would of course be considered at the time of deciding the writ petition.

7. We notice that the issue raised before the learned Single Judge has already been adjudicated by Coordinate Bench and the judgment passed by the Coordinate Bench is under challenge before us in Division Bench and we have to decide as to whether the percentage of marks to be allowed for interview has to be as what has been laid down by the State Government or what has been decided by the RPSC at their own level. The said selection is of course for the post of Assistant Professor, Skin & VD, while the selections which are under challenge before the learned Single Judge are with respect to other medical faculties.

8. The advertisement for the post of Assistant Professor in various faculties was common and therefore, the issue which we would be deciding in **D.B. Special Appeal (Writ) No.79/2025** will definitely cover the other cases too on the point. Therefore, we do not find any error in the order passed by the learned Single Judge in directing the respective counsels to file appropriate application for modification/vacation of order after the disposal of **D.B. Special Appeal (Writ) No.79/2025**.

9. The present Special Appeals (Writ) are misconceived and are accordingly, dismissed.

10. We also notice that RPSC is already a party to the proceedings in **D.B. Special Appeal (Writ) No.79/2025**.

11. All pending applications stand disposed of.

12. A copy of this order be placed in the aforesaid appeals.

(BIPIN GUPTA),J

(SANJEEV PRAKASH SHARMA),ACTING CJ

AMIT/164-165 & 167