

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 9079/2023

Nisha Sharma Daughter Of Shri Nemi Chand Sharma

-----Petitioner

Versus

State Of Rajasthan & Ors.

-----Respondents

For Petitioner(s)	:	Mr. Vivek Joshi
For Respondent(s)	:	Dr. Vibhuti Bhushan Sharma, AAG Mr. Harshit Tiwari

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN (V. J.)

Order

26/06/2023

1. Leaned counsel for the petitioner seeks permission to participate in the examination for the post of Lab Technician resorting to the amendment made in the Rajasthan Health Medical and Health Subordinate Service Rules, 1965 by introducing the Rajasthan Subordinate Offices Ministerial Service (Amended) Rules, 1999 and thereby following provision has been added:-

2. Amendment:-"Provided that the person who has appeared or is appearing in the final year of the examination of the course which is the requisite educational qualification for the post as mentioned in the rules or schedule for direct recruitment shall be eligible to apply for the post but he/she shall have to submit proof of having acquired the requisite educational qualification to the appropriate selection agencies:-

- i.) before appearing in the main examination where selection is made through two stages of written examination and interview.
- ii.) before appearing in the interview where selection is made through written examination and interview.
- iii.) before appearing in the written examination or interview where selection is made through only written examination or only interview as the case may be.

2. It has been stated that in the advertisement dated 31.05.2023, respondents have not followed the criteria as prescribed in the Rules after amendment, therefore, respondents are not accepting the online application form of petitioner and the last date for submission of application form is 30.06.2023.

3. As Dr. Vibhuti Bhushan Sharma, learned AAG accepts notice on behalf of respondents, therefore, fresh notices need not be issued to the respondents. His name be shown in the cause list.

4. In the meanwhile, petitioner is permitted to submit her application form online/offline for the post of Lab Technician pursuant to advertisement dated 31.05.2023, provisionally and is allowed to participate in the examination. However, petitioner shall not be entitled to claim any equity on account of submission of application form and her result shall not be disclosed without leave of this Court.

5. Connect with S.B. Civil Writ Petition No.9228/2023.

(ANIL KUMAR UPMAN (V. J.)),J