

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 9289/2021

1. Rahul Sharma S/o Mahendra Kumar Sharma, Aged About 26 Years, R/o Village - Ram Nagar, Post Gunta, Tehsil Bansur, District Alwar, Rajasthan.
2. Suresh Kumar Saini S/o Shyopal Ram, Aged About 27 Years, R/o Village Dhani- Joda Uparali Maliyon Ki, Bhoodoli, Tehsil- Neem Ka Thana, District- Sikar, Rajasthan.

-----Petitioners

Versus

1. The State Of Rajasthan, Through Its The Principal Secretary, Department Of Medical And Health, Government Secretariat, Jaipur, Rajasthan.
2. Special Secretary To The Government, Department Of Medical, Health And Family Welfare , National Health Mission, Government Of Rajasthan, Swasthya Bhawan, Tilak Marge, C-Scheme, Jaipur Rajasthan- 302005.

-----Respondents

For Petitioner(s)	:	Mr. Sukhdev Singh Solanki, Adv.
For Respondent(s)	:	Mr. Archit Bohra, AGC with Mr. Rahul Verma, Adv.

HON'BLE MR. JUSTICE ANAND SHARMA

Order

01/05/2026

1. In compliance of order dated 26.09.2023, both the writ petitioners appeared before Medical Board constituted by SMS Medical College and Hospital for reassessment of their physical disability.
2. Report of Medical Board has been sent to this Court and bare perusal of the same would reveal that the Medical Board has assessed physical disability of petitioner No.1 only as 8%, which is

admittedly below the benchmark disability required for the purpose of grant of reservation in the category of Specially Abled Persons.

3. In view of above, learned counsel for the petitioners does not press the writ petition so far as the petitioner No.1 is concerned.

4. As regards petitioner No.2, the Medical Board in its report dated 25.10.2023 has certified that although, percentage of disability of the petitioner No.2 is 63%, yet he is suffering impairment in all the four limbs i.e. upper limbs as well as lower limbs (hands and legs), which has seriously affected his functioning as well as speed.

5. This Court finds that in the advertisement dated 31.08.2020 itself reservation for Specially Abled Person was confined only to the person suffering disability in one leg. In the instant case, since as per the report of Medical Board, petitioner No.2 is suffering disability in all the four limbs i.e. upper limbs (both hands) and lower limbs (both legs), therefore, as per the conditions of advertisement where the reservation has been earmarked only qua the Specially Abled Persons suffering impairment in one leg, this Court finds that the petitioner No.2 is not eligible to claim reservation in the aforesaid category.

6. In view of above, the writ petition filed by the petitioners is hereby dismissed.

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

(ANAND SHARMA),J