

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

S.B. Civil Writ Petition No. 11792/2025

Harsh Kumar S/o Shri Sushil Kumar

-----Petitioner

Versus

State Of Rajasthan and Anr.

-----Respondents

For Petitioner(s) : Mr. Tanveer Ahamad

For Respondent(s) :

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

05/08/2025

1. Learned counsel for the petitioner submits that the *Rajasthan Public Service Commission* has issued advertisement dated 25.01.2024 for the appointment to the post of 'Programmer', and in pursuance of the same, the petitioner applied for and secured 140.33 marks in the competitive examination of the said post and was provisionally shortlisted and called for verification of documents, however, after the verification, petitioner's name was not included in the selection list, despite having more marks than cut off marks, as the cut off marks of Unreserved (UR) category is reflected as 139.94.

2. Learned counsel for the petitioner also submits that the respondents have rejected the candidature of the petitioner merely on account of the fact that the result of the petitioner for B.Tech (*Electronics & Communication Engineering*) was declared on 06.07.2024, whereas the final consolidated mark-sheet was prepared on 20.12.2024. He further submits that non-consideration of the candidature merely on account of the fact

that the consolidated mark-sheet of the petitioner was issued on 20.12.2024, subsequent to the date of competitive examination i.e. 27.10.2024, is arbitrary and perverse.

3. He further submits that vide *Annexure-10*, the *Maharshi Dayanand University, Rohtak* has issued a certificate, indicating therein that the petitioner was declared successful in B.Tech (*Electronics & Communication Engineering*) on 06.07.2024, much prior to the date of the competitive examination i.e. 27.10.2024, and the delay in issuance of consolidated mark-sheet cannot be attributed to the petitioner, therefore, the non-consideration of the candidature of the petitioner is arbitrary.

4. The learned counsel for the petitioner further relies upon the judgment passed by the Hon'ble Apex Court in the matter of ***Haryana Staff Selection Commission Vs. Priyanka & Ors.*** reported in **2021 INSC 436** and subsequently by the High Court of Andhra Pradesh in the matter of ***Bocha Srinu Babu Vs. B.Mohan and ors.*** reported in **MANU/AP/2026/2024**.

5. Heard.

6. Issue notice to the respondents, returnable within two weeks.

7. In the meanwhile, the respondents are directed to keep one post of '*Programmer*' vacant under the Unreserved (UR) category, if available as on date, subject to the final outcome of the writ petition.

(MANEESH SHARMA),J