

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 16015/2025

Mohit Kumar S/o Shri Pawan Kumar

-----Petitioner

Versus

Bharat Electronics Limited (Bel)

-----Respondent

For Petitioner(s) : Mr. Akshay Singh

For Respondent(s) :

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

17/10/2025

1. The grievance of the petitioner is that vide letter dated 02.09.2025, a provisional appointment on post of Probationary Engineer (Mechanical) was made by respondent No.1 for Bengaluru Unit but subject to the condition of medical fitness of the petitioner. He further submits that when the petitioner appeared before the Chief Medical Officer, (BEL), Bengaluru, then he was declared as unfit and on basis of the report, the appointment letter dated 02.09.2025 issued to present petitioner was recalled and cancelled on 26.09.2025.
2. Learned counsel for petitioner while placing reliance upon judgment in case of **Ranjan Tak Vs. Union of India and Ors. (S.B. CWP No.18826/2018 order dated 02.09.2023)** and further approved by Division Bench in **D.B. Special Appeal (Writ) No.953/2023 at Principal Seat, Jodhpur** titled as **ONGC and Anr. Vs. Ranjan Tak** submits that even when recruitment has not been taken

place in Rajasthan, invocation of jurisdiction under Article 226 of the Constitution of India is considered by a Co-ordinate Bench. He further referred judgment in case of **Dr. Devarm Vs. State of Rajasthan and Ors. (S.B. Civil Writ Petition No.4343/2001 judgment dated 25.04.2025 and connected matters)** and submits that similarly placed candidate was given protection in wake of beneficial legislation and when a specific provision is made for physically disabled person then the person with less than benchmark disability are also entitled for protection without claiming any reservation in the category of physical challenged persons.

3. Having considered the submissions and on perusal of material placed on record along with judgments as referred by learned counsel for petitioner, the matter requires consideration, hence issue notice to respondents, returnable within four weeks.
4. Issue notice for stay application as well.
5. Additional service through speed post is also permitted.
6. If respondent desires to file a reply, they may file within three weeks from date of receipt of notice, after serving a copy to learned counsel for petitioner and if petitioner wants to file a rejoinder, then he may file within two weeks from date of receipt of copy of reply.
7. List after six weeks for final disposal.

(ASHOK KUMAR JAIN),J