

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Special Appeal Writ No. 652/2024

Rajasthan Public Service Commission
-----Appellant
Versus
Ranu Kumari Tukliya D/o Late Shri Rajendra Kumar
-----Respondent

Connected With
D.B. Special Appeal Writ No. 645/2024
Rajasthan Public Service Commission
-----Appellant
Versus
Sangeeta Kumari D/o Rustam Singh
-----Respondent

For Appellant(s)	:	Mr. Rajendra Prasad, AG with Ms. Dhriti Ladha Mr. Mirza Faisal Baig with Mr. Govind Gupta Mr. Manoj Sharma, AAG with Mr. S.M Sharma
For Respondent(s)	:	Mr. R.N Mathur, Sr. Adv. with Mr. Vishesh Sharma and Mr. Abhishek Mewara

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU

Order

15/10/2025

1. While passing the impugned order, learned Single Judge of this Hon'ble Court has not gone into the merits of the case, but made an observation that in view of the clarification issued by the State-respondents, the petition is not required to be adjudicated on merits. Thus, the learned Single Judge has disposed of the writ petition, and quashed and set aside the impugned order, while keeping in view, the clarification issued by the State-respondents.

2. At the threshold learned Advocate General Mr. Rajendra Prasad, submits that the stand of the State regarding the statute in question was not actually the bone of contention, until the stage, when the litigation was being initiated because the issue was rested with the RPSC. Therefore, it was only the RPSC's stand, that was emphasised, at that juncture.

3. However, Mr. R.N. Mathur learned Senior Advocate, has drawn the attention of this Court towards the reply of the State, to indicate the statutory position laid down by the State itself so as to enable the learned Single Bench to dispose of the matters.

4. To come clear on the propositions and to make further adjudication, this Court directs the learned Advocate General to file an affidavit of Secretary, DOP regarding the rule position of the actual qualification and/or eligibility for the post in question regarding recruitment.

5. List the matters after four weeks.

6. Interim order, if any, shall remain in currency till next date.

(BALJINDER SINGH SANDHU),J

(DR. PUSHPENDRA SINGH BHATI),J