

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 20471/2025

Suman Yadav W/o Late Anil Kumar, Aged About 37 Years, R/o Sanseri, Jonaycha Khurd, Tehsil Behror, District Alwar (Present District Kotputli-Behror), Rajasthan.

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Department Of Personnel, Secretariat, Jaipur.
2. Principal Secretary, Social Justice And Empowerment Department, State Of Rajasthan, Secretariat, Jaipur. Rajasthan.
3. District Collector Kotputali-Behror, District Kotputali-Behror, Rajasthan.
4. S.d.o. Behror, District Kotputali-Behror, Rajasthan.
5. Tehsildar Behror, District Kotputali- Behror, Rajasthan

-----Respondents

For Petitioner(s)	:	Mr. Sanjay Yadav
For Respondent(s)	:	Mr. Raghav Mishra for Mr. V.D. Gathala, AGC

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

25/02/2026

1. Learned counsel appearing for the petitioner submits that the issue with regard to issuance of EWS certificate has been put to rest by the Co-ordinate Bench, Principal Seat at Jodhpur in ***S.B. Civil Writ Petition No.9180/2025 (Sunita Rani Vs. State of Rajasthan & Ors.)*** vide order dated 26.05.2025.
2. Learned counsel appearing for the respondent-State submits that the respondent authorities will consider the application of the

petitioner for issuance of EWS certificate in light of the Circular dated 20.10.2023.

3. The Co-ordinate Bench in case of **Sunita Rani (supra)** observed as under:-

"4. It is an admitted position that the petitioner has migrated to the State of Rajasthan after her marriage. It is also an admitted position that she has been denied the issuance of an EWS certificate solely on the premise that her OBC category certificate was issued by the State of Haryana. Furthermore, it is an admitted position that the petitioner applied for the EWS certificate considering herself to be a General category candidate.

5. Circular dated 20.10.2023 (Annexure-9) provides as under:

"अन्य राज्य की महिला को ओ.बी.सी. प्रमाण पत्र के आधार पर राजस्थान में किसी भी भर्ती में ओ.बी.सी. वर्ग को आरक्षण देय नहीं है, परन्तु ओ.बी.सी. प्रमाण पत्र के आधार पर उसे आरक्षण के अलावा अन्य लाभ प्राप्त हो सकते हैं। अतः अन्य राज्य की कोई ओ.बी.सी. युवती राजस्थान में किसी ओ.बी.सी. युवक से शादी करती है और उसने राजस्थान में ओ.बी.सी. का प्रमाण पत्र नहीं बनवाया है तो उसे राजस्थान में सामान्य वर्ग की मानते हुए ई.डब्ल्यू.एस. का प्रमाण पत्र जारी किया जा सकता है। ऐसी युवती को ई.डब्ल्यू.एस. का प्रमाण पत्र के आधार पर भर्तियों में ई.डब्ल्यू.एस. आरक्षण का लाभ मिल सकता है।

अन्य राज्यों के आरक्षित वर्गों के ऐसे अभ्यर्थी जो विवाहोपरान्त राजस्थान राज्य के मूल निवासी बन गये हैं, को ई.डब्ल्यू.एस. आरक्षण के सम्बन्ध तदनुसार कार्यवाही की जाये।"

6. In view of the above specific Clause, the present writ petition is disposed of with a direction to the respondent authorities to consider the application (Annexure-5) of the petitioner as filed for issuance of an EWS certificate. If the petitioner complies with all the other conditions as prescribed for issuance of an EWS certificate, she be issued the same in accordance with law within a period of four weeks from now. The earlier rejection of the application would not preclude the competent authority from reconsidering the application."

4. In view of the above, the present writ petition is also disposed of as under:-

The respondents shall consider the application, if any, submitted by the petitioner for issuance of EWS certificate. If the petitioner complies with all the other conditions as prescribed for issuance of EWS certificate, she be issued the same in accordance with law within a period of four weeks from today. The earlier rejection of the application would not preclude the competent authority from reconsidering the application.

5. Stay application as well as pending application/s, if any, also stand/s disposed of.

(GANESH RAM MEENA),J