

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 15529/2025

Ashwani Kumar Pareek S/o Shri Raghuveer Prasad Pareek, Aged About 27 Years, R/o Post Office Katsura, Tehsil Arai, District Ajmer.

----Petitioner

Versus

1. Rajasthan University Of Health Science, Kumbha Marg, Sector 18, Pratap Nagar, Tonk Road, Jaipur Through Its Registrar.
2. Controller Of Examination, Rajasthan University Of Health Science, Kumbha Marg, Sector 18, Pratap Nagar, Tonk Road, Jaipur
3. D.p. Tiwari Medical And Nursing Educational Institute, Muhana, Sanganer, Jaipur.

----Respondents

Connected With

S.B. Civil Writ Petition No. 15544/2025

Ronak Kumar Paliwal Son Of Shri Sohan Lal Paliwal, Aged About 26 Years, Residing At Ward No.8, Dulhepura Hod, Khandela, Sikar, Rajasthan.

----Petitioner

Versus

1. State Of Rajasthan, Through Principal Secretary, Medical And Health Department, Secretariat, Jaipur.
2. Rajasthan University Of Health Sciences, Sector 18, Kumbha Marg, Jaipur Rajasthan Through Vice Chancellor.
3. The Controller Of Examination, Rajasthan University Of Health Sciences, Jaipur Rajasthan.
4. Deen Examination, Examination Section, Rajasthan University Of Health Sciences, Jaipur.
5. Principal, Ganadhipati Purushottam Shekhawati College Of Nursing, Jaipur.

----Respondents

S.B. Civil Writ Petition No. 15985/2025

Anshul Mathur S/o Shri Rajeev Mathur, Aged About 28 Years, R/o

26/09, Sarashwati Colony, Baran Road, Kota, Raj.

-----Petitioner

Versus

1. Rajasthan University Of Health Sciences, Jaipur, Through Its Registrar, Sector 18, Kumbha Marg, Pratap Nagar, Jaipur.
2. The Examination Controller, Rajasthan University Of Health Sciences, Sector 18, Kumbha Marg, Pratap Nagar, Jaipur.
3. M.b. College Of Nursing, Kota, Through Its Principal, Mahaveer Nagar Iird Kota.
4. The State Nursing Council, Through President, C-Scheme, B-39, Sardar Patel Marg, Ashok Nagar, Jaipur Raj.
5. The Indian Nursing Council, Through Its Secretary, Indian Nursing Council, 8Th Floor, Nbcc Center Plot No. 2, Community Center Okhla Phase-I, New Delhi 110020.

-----Respondents

S.B. Civil Writ Petition No. 16322/2025

Deepa Makkar D/o Shri Om Prakash Makkar, Aged About 30 Years, R/o 72, Pansari Bazar, Bhatiyaron Ki Gali, Alwar Rajasthan

-----Petitioner

Versus

1. Rajasthan University Of Health Science, Kumbha Marg, Sector 18, Pratap Nagar Tonk Road, Jaipur Through Its Registrar
2. Controller Of Examination, Rajasthan University Of Health Science, Kumbha Marg, Sector 18, Pratap Nagar Tonk Road, Jaipur
3. Alwar Nursing College (Prss), Alwar Through Its Principal

-----Respondents

S.B. Civil Writ Petition No. 16518/2025

Rajesh Meena S/o Shri Badri Lal, Aged About 26 Years, R/o B.s.n.l Tavar Ke Jhadol Road, Tehsil Pipalda, Itawa, Kota, Rajasthan- 325004.

-----Petitioner

Versus

1. Rajasthan University Of Health Science, Kumbha Marg, Sector 18, Pratap Nagar Tonk Road, Jaipur Through Its Registrar
2. Controller Of Examination, Rajasthan University Of Health Science, Kumbha Marg, Sector 18, Pratap Nagar Tonk Road, Jaipur
3. M.d. Mission College Of Nursing, M.d. Mission Campus, Keshavpura, Land Mark Vasanth Vihar Road, Teen Batti Cir Rd, Keshavpura, Talwandi, Kota, Rajasthan 324009 Through Director.

-----Respondents

For Petitioner(s)	:	Mr. Swapnil Singh Patel with Ms. Shivangi Singh Patel Mr. Laxmi Kant Sharma Mr. Hansraj Kuldeep Mr. Vijendra Yadav Mr. Devendra Kumar Sharma
For Respondent(s)	:	Ms. Namita Parihar, Dy. G.C. Mr. Nikhil Saini Ms. Nitita Goyal with Ms. Muskan Harlalka for Ms. Anuradha

HON'BLE MR. JUSTICE SAMEER JAIN
Judgment

21/05/2026

1. In the instant matter learned counsel for the respondents has relied upon **D.B. Special Appeal Writ No. 772/2021** titled **Rajasthan University of Rajasthan Vs. Mahesh Joshi & Anr.** order dated 08.12.2022, and submitted that the *lis* at hand does not survive, in view of the said ratio.
2. Learned counsel for the petitioners has relied upon **S.B. Civil Writ Petition No. 16788/2022** titled **Ms. Seema Pargi Vs. State of Rajasthan & Ors.** order dated 16.04.2026 wherein it is submitted that considering the Ordinance 299-V-10 and distinction

drawn from the above referred judgment and the writ petition was allowed.

3. This Court has considered the arguments advanced by the learned counsel for the parties and perused the judgments cited at the Bar.

4. In the case in hand, respondents have contended that the same facts, same point of law was considered in **D.B. Special Appeal Writ No. 772/2021 (supra)**, thus, it is noted that the fact qua the students who have consumed more than 8 years, qua B. Pharmacy and B.Sc. (Nursing) course, was duly considered. The Division Bench in **D.B. Special Appeal Writ No. 772/2021 (supra)** has categorically held that the same is not permissible under the said Ordinance.

5. Contrarily, the judgment relied upon by learned counsel for the petitioners upon **Ms. Seema Pargi (supra)** pertains to distinct facts, as therein the petitioner who was student of B.Sc. course was not permitted to appear in two papers in forth year examination, due to non completion of her forth year course, within a period of eight years, thus, the Court has made a distinction that petitioner was already granted permission by the Co-ordinate Bench of this Court, on 09.11.2022 to write the examination on two due papers and result thereof was declared subsequently, and she was declared pass in both the said papers. The Court has held that under due circumstances equity was created and the case was on peculiar facts. Howsoever, this Court is of a distinct view and is in conformity with the order passed by the Division Bench.

6. Considering the overall facts and circumstances of the matter at hand, and following the principle of judicial discipline, this Court is inclined to dismiss the instant petitions in view of the ratio passed in **D.B. Special Appeal Writ No. 772/2021 (supra)**, which is squarely applicable in the facts and circumstances of the present case.

7. Accordingly, the instant bunch of the petitions are dismissed. Pending application(s), if any, shall stand disposed of.

(SAMEER JAIN),J