

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 16784/2025

Suresh Kumar Yadav S/o Shri Sher Singh Yadav, Aged About 24 Years, R/o Village Kuriyan Ki Dhani, Tehsil Bansur, District Alwar, Rajasthan, 301402

-----Petitioner

Versus

1. The State Of Rajasthan, Through Its Secretary, Department Of Rural Development And Panchayati Raj, Government Of Rajasthan, Secretariat, Jaipur.
2. Director, Primary Education Department, Bikaner.
3. Rajasthan Staff Selection Board, Through Its Secretary, State Institute Of Agriculture Management Premises, Durgapura, Jaipur, Rajasthan.

-----Respondents

For Petitioner(s)	: Mr. Raghu Nandan Sharma
For Respondent(s)	: Mr. S.S. Naruka, AAG

HON'BLE MR. JUSTICE ASHOK KUMAR JAIN

Order

06/11/2025

1. Learned counsel for the petitioner is directed to supply a copy of this writ petition to Mr. Surendra Singh Naruka, AAG, appearing for the respondents-State.
2. Office is directed to reflect name of learned counsel Mr. Surendra Singh Naruka, AAG in the cause list.
3. Learned counsel for petitioner submits that petitioner was selected as Teacher Grade-III Level-1 on the basis of examination conducted on 25.02.2023. He further submitted that after final selection in PH category, an appointment letter was not issued on the ground that petitioner has to

undergo afresh examination for assessment of his benchmark disability.

4. Learned counsel for the petitioner also relying upon the **Order dated 17.09.2025 in S.B. Civil Writ Petition No.13222/2025 (Bhulesh Meena vs. State of Rajasthan & Ors.)** passed by a Coordinate Bench of this Court and **Order dated 13.10.2025 in S.B. Civil Writ Petition No. 19981/2025 (Abdul Salim & Ors. vs. State Rajasthan & Ors.)**, passed by a Coordinate Bench at Principal Seat, Jodhpur.
5. In the case of **Abdul Salim & Ors. (supra)**, a coordinate Bench of this Court at Jodhpur has observed as under:-

"5. The grounds raised by the petitioners requires hearing of the writ petition. The minimum grievance of the petitioners is that if the respondents are allowed to continue with the re-examination of their disability based on the certificates, there is every likelihood of deprivation of their employment by way of disciplinary proceedings, therefore, their right of employment should be protected.

6. Considering the submissions advanced by learned counsel for the petitioners, this Court is inclined to protect the interest of the petitioners. However, the respondents authority is allowed to undergo with their exercise.

7. No coercive action shall be taken against the petitioners on any of the findings given after re-examination without leave of this Court."

6. Learned counsel Mr. Surendra Singh Naruka, AAG candidly admits about the opportunity granted by this Hon'ble Court in case of **Bhulesh Meena (supra)** and protection given by a coordinate Bench of this Court at Jodhpur in the case of **Abdul Salim & Ors. (supra)**.

7. Having considered the submissions of learned counsel for parties and on perusal of material placed on record, without going into the veracity of the claim made by present petitioner and in order to balance the equity, and in the interest of justice, this Court deems it appropriate to direct All India Institute of Medical Sciences (AIIMS), Jodhpur to examine impairment/physical disability of petitioner from a competent Medical Board.
8. In view of aforesaid, the petitioner is directed to appear before the Director of All India Institute of Medical Sciences (AIIMS), Jodhpur on 10.11.2025 for medical examination by Board to assess impairment/physical disability. A report be prepared and same be sent directly to respondent Nos.3 and also a copy to this Court.
9. List this matter on 17.11.2025.

(ASHOK KUMAR JAIN),J