
(2019) 02 RAJ CK 0058
In the Rajasthan High Court
Case No : Civil Writ No. 7913 Of 2018

Neeraj Gehlot And Ors

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 07-02-2019

Acts Referred:

Citation : (2019) 02 RAJ CK 0058

Hon'ble Judges : Arun Bhansali, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

By order dated 13.06.2018, while issuing notices to the respondents, it was, inter-alia, directed as under :-

"In the meanwhile, the petitioners shall be provisionally allowed to appear in the selection process conducted by the respondents in pursuance to the advertisement dated 13.04.2018 for appointment on the post of Lecturer (School Education) in Agriculture subject.

Connect with S.B. Civil Writ Petition No.6554/2018"

Whereafter, the requisite PF and notices have not been filed for about eight months and the same have been filed on 02.02.2019.

SBCWP No.6554/2018 (Gyarsi Lal Badhala & Ors. v. State of Rajasthan & Anr.) with which the present matter was connected alongwith several petitions, after hearing learned counsel for the parties, have been dismissed on 24.01.2019, wherein inter-alia it has been laid down as under :-

"The foundation of the challenge laid by the petitioners is essentially based on allegation of discrimination qua the candidates of Agriculture and that of Drawing and Home Science and further submissions have been made regarding non-availability of B.Ed. in Agriculture and candidates with M.Sc. in Agriculture. Submissions have also been advanced requiring the State to seek relaxation in

terms of Regulations.

The entire basis of the writ petition in so far as alleging discrimination is concerned, is absolutely baseless as the qualifications prescribed in the advertisement are based on the provisions contained in the Rules of 1970 and schedule attached thereto. If the petitioners are aggrieved by the stipulations made in the Rules and schedule attached thereto, the remedy lies somewhere else and the advertisement, which is based on the provisions of the Rules and the schedule attached thereto cannot be questioned in the present proceedings.

So far as the submissions regarding non-availability of candidates, who have done B.Ed. is concerned, the entire emphasis laid by the petitioners is baseless as they have tried to read 'B.Ed. in Agriculture' in the advertisement and the Rules, which is not existent and the Rules & advertisement simply requires 'B.Ed.' and once the Universities are offering admission to the candidates, who have done their B.Sc. in Agriculture for B.Ed. in General Science and Biology, as submitted by learned counsel for the respondent-RPSC and also supported from the record of candidates like Gyarsilal Badhala & Ors. (supra), who have done their B.Ed. (however, they are not post graduate), the plea raised in this regard also is baseless."

In view of the above judgment in the case of Gyarsi lal Badhala & Ors. (supra), the writ petition is dismissed. The interim order dated 13.06.2018 is vacated.

A copy of this order alongwith the entire cause title be sent to the respondent No.3 - RPSC by the Registrar (Judl.) forthwith.