

(2018) 12 RAJ CK 0115
In the Rajasthan High Court
Case No : Civil Writ No. 16506 Of 2018

Rajendra Singh And Ors

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 03-12-2018

Acts Referred:

Citation : (2018) 12 RAJ CK 0115

Hon'ble Judges : Arun Bhansali, J

Bench : Single Bench

Advocate : K.P. Raj Deora, Dinesh Ojha, P.R. Singh

Final Decision : Dismissed

Judgement

This writ petition has been filed by the petitioners seeking a direction to the respondents to initiate the fresh Physical Efficiency Test ('PET') for the petitioners.

It is, inter-alia, indicated in the writ petition that pursuant to the Constable Recruitment, 2018, the petitioners participated in the PST/PET held by the respondents on 6th, 7th, 8th & 10th October, 2018. It is claimed in the writ petition that the petitioners were not accorded sufficient opportunity for preparing for the PST/PET and that weather was cloudy and track was full of mud and therefore, the petitioners could not participate in the PET to their full potential and therefore, they may be granted one more opportunity in this regard.

A reply to the writ petition has been filed by the respondents disputing the averments made in the writ petition. It is submitted that the admit cards were uploaded well in time and looking to the nature of PET, it cannot be said that the petitioners did not get sufficient opportunity. Further submissions have been made that the allegation regarding the track being muddy is incorrect as neither there was any rain nor the track was muddy as alleged and therefore, the writ petition deserves to be dismissed.

I have considered the submissions made by learned counsel for the parties and

have perused the material available on record.

Admittedly, the petitioners have downloaded the admit cards well in advance from the date fixed for PST/PET.

The Division Bench in Sunita Kumari v. State of Rajasthan & Ors. : DBSAW No.1498/2018, decided on 28.11.2018 at Jaipur Bench, wherein the admit cards were uploaded two days' in advance found the same as sufficient time.

Once the respondents in their reply have categorically denied that there was any rain and/or that the track was muddy, which fact has not been controverted by way of any material on record / rejoinder, there is no reason to disbelieve the averments made in this regard by the respondents.

In view of the above fact situation, both the grounds sought to be raised by the petitioners have no substance, the writ petition is, therefore, dismissed.