
(2019) 01 RAJ CK 0252
In the Rajasthan High Court
Case No : Civil Writs No. 27885 Of 2018

Roshan Lal Gurjar

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 03-01-2019

Acts Referred:

Citation : (2019) 01 RAJ CK 0252

Hon'ble Judges : Alok Sharma, J

Bench : Single Bench

Advocate : Ram Pratap Saini, HC Kandpal

Final Decision : Dismissed

Judgement

The petitioner applied for the post of Constable (Driver) in District Kota pursuant to the advertisement dated 25.5.2018 issued by the respondents. Having passed the written examination, he was called for Physical Standard Test (for short 'PST') and Physical Efficiency Test (for short, 'PET') on 11th September, 2018 at Maharao Ummed Singh Stadium, Kota. The petitioner appears to have failed the PET entailing a run of 5 kms within 25 minutes. The petitioner does not appear to have objected to the alleged unsuitable running conditions when his PET was held on 11th September, 2018. The result of the candidates successful at the PST/PET on 11th September, 2018 was declared, they were appointed and such candidates are stated to be in training for the last over 2 months.

The petitioner has now approached this Court by way of this petition filed on 19.12.2018 alleging that conditions of the track where PET was held on 11th September, 2018 were unsuitable for being muddied owing to heavy rains. The petitioner alleges that he was thus obstructed in performing to his optimum for reasons of resultant unfairness. It has been prayed that the petitioner in the circumstance be allowed a second chance at the PET.

Heard. Perused the petition.

The issue with regard to conditions of the running track at Maharao Ummed Singh Stadium, Kota being unsuitable for holding PET on 11th September, 2018 came up before the Principal Seat of this Court at Jodhpur in the case of Revant Ram Meghwal & Ors Versus State of Rajasthan & Ors. (S.B. Civil Writ petition No. 13731/2018) and other connected matters; decided on 27.11.2018. Therein specifically on the basis of the Commissioner's report, it was held by the Court that no case of track conditions being muddled or otherwise unsuitable for holding PET at the Maharao Ummed Singh Stadium, Kota on 11th September, 2018 was made out and the writ petitions were dismissed qua such candidates - they albeit were allowed in respect of other candidates who had been put through PET on 8th/9th/10th September, 2018 at the Maharao Ummed Singh Stadium, Kota.

In this view of the matter, the petitioner cannot make out a case of being denied a suitable running track at the Maharao Ummed Singh Stadium, Kota where his PET was held on 11.9.2018.

Petition is accordingly dismissed.