
(2009) 04 RAJ CK 0031
In the Rajasthan High Court

Sukha Ram

APPELLANT

Vs

The State of Rajasthan and Another

RESPONDENT

Date of Decision : 15-04-2009

Acts Referred:

Citation : (2009) 04 RAJ CK 0031

Hon'ble Judges : Narendra Kumar Jain, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Narendra Kumar Jain, J.—Admit.

2. Heard learned Counsel for the parties.

3. The petitioner preferred this writ petition for issuing an appropriate writ, order or direction to consider his candidature for appointment on the post of General Teacher Grade-III in OBC category against the vacancies advertised vide (Annexure-1) advertisement dated 25th February, 2004. The basis for filing the present writ petition was that petitioner obtained 76.86% marks as per merit formula and last cut off marks for OBC category was 75.10%. He also belongs to OBC category, therefore, it is clear that less meritorious person has been given appointment, whereas he, who was having more merit, has been denied appointment.

4. A notice to show cause was given to the respondents and in response thereto, they have filed their reply to the writ petition, wherein they have denied the contents of the writ petition and it has been stated that it is wrong to say that last cut off marks for OBC category was 75.10%, but it was 77.82%, whereas the petitioner obtained only 76.86% i.e. less than the cut off marks for OBC category.

5. No rejoinder to the above reply has been filed by the petitioner. During the course of arguments, the learned Counsel for the petitioner does not dispute the

above factual aspect mentioned by the respondents in their reply. In these circumstances, it is clear that no junior person or less meritorious person to the petitioner has been given appointment on the post of General Teacher Grade-III in pursuance of the advertisement (Annexure-1) and no relief to petitioner can be granted in the facts and circumstances of the present case.

6. In view of above discussions, I do not find any merit in this writ petition and the same is, accordingly, dismissed with no order as to costs.