



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 5713/2024

Rita Singh D/o Ram Singh Meena, Aged About 27 Years, R/o B-129, Anand Vihar, Railway Colony, Jagatpura, Jaipur (Rajasthan)

-----Petitioner

Versus

1. The State Of Rajasthan, Through Principal Secretary, Urban Development And Housing Department, Secretariat, Jaipur.
2. Rajasthan Public Service Commission, Through Secretary, Jaipur Road, Ajmer
3. The Registrar, MBM University, Jodhpur (Rajasthan).

-----Respondents

For Petitioner(s) : Mr. Mukesh Kumar Meena

For Respondent(s) :

HON'BLE MR. JUSTICE SAMEER JAIN

Order

20/04/2024

1. By way of the instant petition, a challenge is raised against the order impugned dated 20.03.2024.
2. It is submitted by learned counsel for the petitioner that vide advertisement dated 04.10.2022, a selection process was initiated for appointment on the post of 'Assistant Town Planner'. In the said advertisement, a condition was included which enabled even final year students to apply for the advertised post, but with a caveat that the applicant shall have to furnish their mark-sheet of qualification under the respective course, prior to the date of conduct/administering of the written examination.



3. In this background, learned counsel for the petitioner submitted that the written examination was conducted on 16.06.2023. By said date, all the theory papers, course work etc of the petitioner's final year were duly carried out. The only component remaining was of the petitioner's dissertation, the result of which was declared in January 2024 i.e. subsequent to the date of the written examination. Therefore, in this background, vide impugned order dated 20.03.2024, the RPSC has not considered the claim and candidature of the petitioner. Learned counsel argued that for reasons beyond the control of the petitioner, her candidature ought to not be rejected.

4. Heard and considered.

5. Upon a perusal of the record, it is noted that vide advertisement dated 04.10.2022, a selection process was initiated for appointment on the post of 'Assistant Town Planner'. In the said advertisement, a condition was included which enabled even final year students to apply for the advertised post, but with a caveat that the applicant shall have to furnish their mark-sheet of qualification under the respective course, prior to the date of conduct/administering of the written examination. The written examination was conducted on 16.06.2023. However, the petitioner's result for the final year dissertation was released in January 2024.

6. It is noted that the condition qua the production of documents was rather clear, insofar as it prescribed a cut-off date for the production of documents to the final year students i.e. prior to the date of the written examination. However, regardless



of whether or not it was within the domain/control of the petitioner, the petitioner was unable to produce her requisite documents prior to the prescribed date.

7. It is a settled position of the law that the setting and beholding of a cut-off date falls purely within the domain of the employer, to be decided and/or imposed in accordance with the necessities accruing to them and the administration of the concerned examination.

8. In the facts of the present case, no challenge is raised against the cut-off date. Rather, the only ground advanced is delay on part of the petitioners university in declaring the petitioner's final year result. It goes without saying that for the said delay, the entire cut-off date *sans* challenge, cannot be set aside and/or relaxed, merely in order to accommodate certain participants, when the said cut-off date, being abundantly clear, is uniform for all applicants.

9. Therefore, in light of the foregoing observations, the instant petition is dismissed. Pending applications, if any, stand disposed of.

(SAMEER JAIN),J

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