



1. **S.B. Civil Writ Petition No.2413/2012**
Raghuveer Singh & Anr. Vs. State of Rajasthan & Anr.
2. **S.B. Civil Writ Petition No.2562/2012**
Radha Bishnoi Vs. State of Rajasthan & Ors.
3. **S.B. Civil Writ Petition No.2764/2012**
Poonam Chand & Ors. Vs. State of Rajasthan & Ors.
4. **S.B. Civil Writ Petition No.2765/2012**
Prem Sukh & Anr. Vs. State of Rajasthan & Ors.
5. **S.B. Civil Writ Petition No.2637/2012**
Krati Kislay & Anr. Vs. State of Rajasthan & Ors.
6. **S.B. Civil Writ Petition No.1605/2012**
Rajesh Kumar & Anr. Vs. State of Rajasthan & Ors.
7. **S.B. Civil Writ Petition No.12541/2011**
Balveer Singh Vs. RPSC & Anr.

DATE OF ORDER: 11th April 2012

HON'BLE MR. JUSTICE DINESH MAHESHWARI

Mr. Sunil Ranwha]
Mr. Ramdeo Potalia]
Mr. Avinash Acharya]
Mr .P.R. Mehta], for the petitioner(s).
Mr. Anuj Sahlot]

Mr. Tarun Joshi, for the respondent-RPSC.

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The learned counsel Mr. Joshi appears for the concerned respondent-RPSC. Having regard to subject-matter, while dispensing with the service on the other respondents, the matters have been taken up together for final disposal at this stage itself.

The learned counsel for the parties submit ad idem that the subject matter of these writ petitions stands covered by the decision of this Court in CWP No.5622/2009, decided on 07.02.2012 and then, in CWP No.534/2012, decided on 13.02.2012. In the aforesaid orders, this Court has taken note of the position obtainable after the decision of the Hon'ble Apex Court for treating the result of the candidates, who have taken the examination in the year 2006 as conducted by the Jivaji University, Gwalior, from the retrospective



date. The Court has also considered the order as issued by the respondent-RPSC on 27.04.2011 and, thereafter, has observed and directed as under: -



"In view of the submissions made by learned counsel for the parties, the issue raised in the present matter is ordered to be considered by the RPSC in the light of the order dated 27.04.2011, which is quoted hereunder for ready reference :

"दिनांक 27.04.2011

अध्यापक प्राथमिक एवं उच्च प्राथमिक प्रति. परीक्षा, 2006 के पदों हेतु जीवाजी विश्वविद्यालय, ग्वालियर का बी.एड का परिणाम मान. सर्वोच्च न्यायालय में विचाराधीन होने के कारण इस विश्वविद्यालय से बी.एड उपाधिधारक आयोग कार्यालय में परिणाम घोषणा की दिनांक 16/03/2007 तक उपाधि प्रस्तुत नहीं करने के कारण चयन से वंचित किया गया. मान. सर्वोच्च न्यायालय द्वारा प्रदत्त निर्णय के आधार पर बी.एड. परीक्षा का परिणाम भूतलक्षी प्रभाव से घोषित किये जाने के कारण ऐसे समस्त अभ्यर्थियों को पात्र मानते हुए आयोग द्वारा परिणाम घोषित कर पात्रता जांच में स्पष्ट पाए जाने पर नाम व आवेदन पत्र नियुक्ति हेतु अभिस्तावित किये जाते हैं."

In the light of the order of the RPSC, as quoted above, case of the petitioners may also be considered by the respondents and if their case is found at par with those, who were extended benefit of order dated 27.04.2011, it is expected that petitioners' candidature would not only be considered but if they find place in merit, will further be extended consequential benefits of appointment.

Necessary exercise in that regard may be undertaken by the respondents within a period of two months from the date of receipt of certified copy of this order.

The candidature of the petitioners would, however be considered by the respondents subject to all the other eligibility as per rules.

With the aforesaid, the writ petition is disposed off so as the stay application."

The learned counsel for the respondent-RPSC does not dispute the facts that directions aforesaid have been issued by this Court in similar nature petitions too.

It is noticed that even in the earlier orders, this Court has directed consideration of the case of concerned petitioners if their cases were found at par with the others who had been extended the benefit of order 27.04.2011. The propositions aforesaid shall apply to the present petitioners too.

In view of the above, these writ petitions are partly allowed to the extent and in the manner indicated in the aforesaid orders and in the same terms.

(DINESH MAHESHWARI), J.

cpgoyal/-