

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

D.B. Special Appeal Writ No. 505/2026  
URN: SAW / 1103U / 2026

Rajasthan Public Service Commission (RPSC) through its  
Chairman, Ghoghraghati, Ajmer- 305001.

----Appellant

Versus

1. Harsh Kumar S/o Shri Sushil Kumar, Aged About 22  
Years, R/o Dhani Bhandor Rewari, Haryana- 123101.
2. State of Rajasthan through the Principal Secretary,  
Department of Information Technology And  
Communication Yojana Bhawan, Tilak Marg, C-Scheme,  
Jaipur- 302005.

-----Respondents

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For Appellant(s) : Mr. Jaswant Persoya  
For Respondent(s) : Mr. Tanveer Ahamad with  
Mr. Iliyas Khan,  
Mr. Hasrat Khan

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**HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA**

**HON'BLE MR. JUSTICE MANEESH SHARMA**

**Order**

**08/07/2026**

1. The challenge in the present appeal is to the order passed by the learned Single Judge, whereby the learned Single Judge has held the respondent-writ petitioner to be eligible for consideration for appointment.
2. Learned counsel appearing for the RPSC submits that the petitioner cannot be said to have acquired the qualification necessary for consideration of appointment on the last date of submission of application form. He submits that the examination was held on 27.10.2024 and therefore a candidate was required to have passed the final examination on or before 27.10.2024.
3. The contention of the petitioner before the learned Single Judge was that the petitioner had passed the examination and the result of the final year (8<sup>th</sup> semester) was declared on 04.07.2024. The compiled result was declared on 20.12.2024 (wrongly

mentioned as 04.07.2024 in the impugned order passed by this High Court). He submitted that as the final result of final year examination was declared on 04.07.2024 and he was declared passed, but merely because the compiled result was declared subsequently on 20.12.2024, he could not be held ineligible. Moreso, as there was no change made in the final compiled result, the petitioner submitted that he would be deemed to have passed the final year examination on 06.07.2024.

4. Learned counsel appearing for RPSC has however submits that since the compiled result is of 20.12.2024, the earlier provisional result declared on 04.07.2024 and 06.07.2024, cannot be made as a basis to declare the petitioner eligible. He further relies on the judgment of the Hon'ble Supreme Court in the case of **Rajasthan Public Service Commission vs. Lavanshu Sankhla & Ors.** Reported in **2026 INSC 444.**

5. We have carefully examined the judgment passed by the Hon'ble Supreme Court and finds that the fact of the said case is clearly distinguishable to the present case. In that case, the RPSC has issued an advertisement inviting online application forms and in the advertisement itself, it was laid down that the candidates who had not acquired the degree and are yet to appear in the final examination, would not be eligible. A clarification press note was also issued by the RPSC on 19.11.2024 in this regard and in the press note, it was held that as there was no ambiguity in the language of the advertisement, no different interpretation could have been made by the High Court, it reiterated the principle as laid down earlier that the qualification has to be seen as on the last date of application form. In the present case, the

advertisement was issued on 25.01.2024 for filling up the post of Programmer. As per the advertisement, a candidate who was appearing in the final semester of the qualifying examination, was also entitled to apply subject to his passing out before the date of the competitive examination. The examination was held on 27.10.2024, thus, it is appeared that the candidate has to pass the final semester of the qualifying examination on or before 27.10.2024.

6. We have already noted that the respondent-writ petitioner had passed the final year examination and the result of final year was declared on 06.07.2024. It is subsequently that another compiled result of all the semesters was declared by the University on 20.12.2024, no change has been made in the compiled result also. However, since the final year semester qualifying examination result was already declared on 06.07.2024, in terms of the advertisement and the conditions therein, the respondent/writ petitioner was clearly eligible. We also noted that the respondent has scored 140.33 marks and persons lesser in merit have been placed in the select list having secured 139.94 marks.

7. In the circumstances and directions issued by the learned Single Judge, cannot be said to be illegal or unjustified. The contention of the appellant RPSC is found to be without basis.

8. Accordingly, the present appeal is hereby dismissed.

9. All pending application(s), if any, shall stand disposed of.