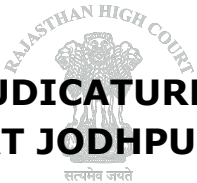




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR**



D.B. Special Appeal Writ No. 777/2026

CNR: RJHC010479342026 | URN: SAW / 1451U / 2026

Munni Devi D/o Shri Roopa Ram, Aged About 31 Years, R/o Kui Jodha, Balesar, Jodhpur, District Jodhpur, Rajasthan.

-----Appellant

Versus

1. State Of Rajasthan, Through The Secretary, Department Of Administrative Reforms, Government Of Rajasthan, Jaipur, Rajasthan.
2. The Secretary, Rajasthan Subordinate And Ministerial Service Selection Board, Jaipur, District Jaipur, Rajasthan.

-----Respondents

For Appellant(s) : Mr. Karni Singh for
Mr. Kailash Jangid

For Respondent(s) : Mr. Manish Patel

**HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
HON'BLE MR. JUSTICE SANDEEP SHAH
Judgment
22/09/2026**

Vinit Kumar Mathur, J

1. The instant special appeal is directed against the order dated 01.04.2026 passed by the learned Single Judge in S.B. Civil Writ Petition No. 4599/2026, Munni Devi v. State & Ors., whereby the writ petition preferred by the appellant was dismissed.
2. Briefly stated facts of the case are that the appellant possesses the educational qualifications of Secondary and Senior Secondary and claims to be eligible for the post Class-IV advertised by the respondents on 12.12.2024. It is stated that the appellant is a permanent resident of the State of Rajasthan and belongs to the General Category, however, she got married to one Omprakash, who unfortunately expired on 03.02.2018. A death



certificate in this regard was issued by the competent authority and, consequently, while filling up the online application on 12.04.2025 form for the post in question, the appellant claimed the benefit of the Widow category candidate.

3. It is the case of the appellant that, while filling up the online application form, the E-Mitra operator inadvertently mentioned her category as "OBC" instead of "General", though she belongs to the General Category. According to the appellant, the aforesaid mistake was inadvertent and was not attributable to any deliberate act on her part.

4. The respondent-Board thereafter issued an admit card to the appellant bearing Roll No. 2605095 for appearing in the written examination to be held on 20.09.2025. In the admit card, the appellant's category was reflected as "OBC Widow".

5. It is further the case of the appellant that, upon noticing the aforesaid discrepancy, she approached the respondent-Board in person before the date of the written examination and requested for correction of her category from "OBC Widow" to "General Widow". However, according to the appellant, no such correction was carried out and, therefore, the appellant appeared in the written examination held on 20.09.2025.

6. On 16.01.2026, the respondent-Board declared the result along with the category-wise cut-off marks and the list of candidates. As per the result, the cut-off marks for the "OBC Widow Category" was 0.0033, whereas the cut-off marks for the "General Widow Category" was 32.6964. The appellant's Roll No. 2605095 was also reflected in the result, with Rank No.758418.



7. Thereafter, the respondent-Board published the merit-wise list of candidates and individual marks sheets. In the said list/marks sheet, the appellant was shown under the category of "OBC Widow" and was stated to have secured 72.9512 marks after normalization.

8. The appellant thereafter submitted a representation before the respondent-Board, requesting that her category be treated as "General Widow" instead of "OBC Widow", contending that she belongs to the General Category and that the entry of OBC category in the application form had been made inadvertently by the E-Mitra operator. The said representation, however, has not been considered by respondent - Board. It is in these circumstances, the appellant approached this Court by way of filing S.B. Civil Writ Petition No.4599/2026, seeking appropriate relief with regard to correction of her category and consideration of her candidature under the "General Widow Category".

9. The learned Single Judge, vide order dated 01.04.2026, dismissed the writ petition. Aggrieved by the said order, the appellant has preferred the present intra-court appeal.

10. Learned counsel appearing for the appellant submits that the learned Single Judge failed to appreciate the material facts and circumstances of the case in their proper perspective. It was contended that, pursuant to the advertisement dated 12.12.2024, the appellant submitted her application form online through an E-Mitra operator. At the time of filling-up the application form, the appellant furnished all the requisite particulars and correctly disclosed her status as a "Widow", however, due to an inadvertent error committed by the E-Mitra operator, her category was entered



as "OBC" instead of "General". According to learned counsel, such a bona fide and inadvertent mistake ought not to result in depriving the appellant of consideration for appointment, particularly when she had secured 72.9512 marks after normalization, which were higher than the cut-off marks prescribed for both the "OBC Widow" and "General Widow" categories.

11. Learned counsel further submitted that immediately upon noticing the discrepancy in her admit card, the appellant approached the respondent-Board and requested that her category be corrected from "OBC Widow" to "General Widow". The appellant also submitted a representation before the respondent-Board after publication of the merit-wise list, but her grievance was not considered. He submits that the appellant had brought the error to the notice of the respondents at the earliest available time and, therefore, she ought not to be non-suited on count of an inadvertent mistake committed while filling-up the online application form by the E-Mitra operator.

12. Learned counsel submits that the learned Single Judge has failed to appreciate that the appellant had made the respondents aware of the mistake even before the written examination was conducted and, thereafter, also submitted a representation before declaration of the final result. Despite having knowledge of the appellant's actual category, the respondents did not take any corrective action. According to learned counsel, depriving the appellant of consideration for appointment on such a technical ground, despite her securing marks sufficient for consideration under the "General Widow Category", would cause grave prejudice



to her and would be contrary to the principles of fairness and natural justice.

13. Learned counsel submits that the appellant does not claim any benefit available to the OBC category and, by birth, belongs to the General Category. The appellant merely seeks correction of an inadvertent error in the category column of the online application form so that her candidature may be considered under the "General Widow Category". He submits that the candidature of the appellant may not be denied consideration merely because of an erroneous entry made by the E-Mitra operator.

14. Learned counsel for the appellant further submits that the recruitment process for the post of Class-IV Employee is still underway and the process of document verification and further stages of selection have not yet been concluded. Therefore, according to learned counsel, no third-party rights have accrued in favour of any candidate which may prevent the respondents from correcting the appellant's category and considering her candidature in accordance with her actual category.

15. Learned counsel placed reliance upon the decision of this Court rendered in "**D.B. Civil Writ Petition No. 692/2017**", **Neetu Harsh v. State & Ors.**, decided on 04.05.2017 and submits that in similar circumstances, this Court had considered the issue of correction of category during the selection process while taking into consideration the law laid down by the Hon'ble Supreme Court and this Court.

16. Reliance was also placed upon the decision rendered in **S.B. Civil Writ Petition No.6065/2017, Ram Prabhat Gurjar v. State & Ors.**, decided by the Jaipur Bench of this Court, wherein,



according to learned counsel, correction in an online application form was permitted. Learned counsel further relied upon the order dated 19.11.2013 passed in ***S.B. Civil Writ Petition No. 11082/2011, Devendra Kumar v. State of Rajasthan & Ors.***, wherein, according to him, an inadvertent mistake in the application form was considered and relief was granted to the petitioner of that case.

17. Learned counsel further submits that the appellant, upon becoming aware of the mistake, approached the respondents at the first available opportunity and sought rectification thereof. Therefore, the appellant could not be said to have attempted to obtain any undue advantage or to have deliberately furnished incorrect information. Learned counsel submits that the relevant consideration ought to be whether the mistake was capable of being rectified without prejudicing the rights of other candidates and whether the appellant otherwise fulfilled the eligibility and merit requirements or not.

18. Learned counsel also submits that several candidates may commit inadvertent mistakes while filling-up online application forms and that the respondents have, in appropriate cases, considered requests for rectification. He, therefore, contends that denial of the appellant's request, despite her having approached the respondents at the earliest opportunity, was arbitrary and discriminatory.

19. Lastly, learned counsel submits that the action of the respondents in not considering the appellant's candidature under the "General Widow Category" has adversely affected her right to fair consideration for public employment. He submits that such



action is contrary to the Articles 14 and 16 of the Constitution of India and that the appellant deserves to be considered under the "General Widow Category", subject to fulfillment of all other applicable requirements and her position in the merit list.

20. Learned counsel appearing for the respondents submits that the learned single judge, while passing the impugned order has not committed any illegality. It is submitted that a bare perusal of the advertisement itself would go a long way to show that the appellant was having a number of opportunity to rectify the mistake(s)/error(s) committed by her and/or E-Mitra operator at the time of filling-up the application form, but the same having not been done so, the appellant is not permitted to correct the same at the later stage.

21. Heard learned counsel for the parties and perused the material available on record as well as the order passed by the learned Single Judge.

22. A bare perusal of the order passed by the learned Single Judge clearly goes to show that the learned Single Judge has considered the Clause 17(i) of the advertisement dated 12.12.2024, which unambiguously provided that in case any amendment/rectification in the application form is required, the candidate may make such correction upon deposit of Rs.300/- within a period of seven days from the cut-off date for submission of the application form. The learned Single Judge has also considered the terms of Clause 17(ii) i.e it being a final opportunity to rectify the application form. The learned Single Judge has further considered the press note 07.10.2025 issued by the respondents permitting the candidates to carry-out necessary



corrections during the period from 06.10.2025 to 16.10.2025 ensuring that no candidate suffer on account any bonafide mistake(s) committed at the time of filling-up the online application. The learned Single Judge while taking note of the judgments of this court delivered in the case of **Nirmala Vs. State of Rajasthan & Anr. (S.B. Civil Writ Petition No.4373/2026)**, decided on 10.03.2026 and **Piyush Kavivya & Ors. Vs. Rajasthan Public Service Commission & Ors. (D.B. Special Appeal Writ No.198/2018)**, held that despite being aware of the incorrect reflection of the category of the appellant, she failed to avail any of the opportunities so provided.

23. In the judgment of **J.& K. Public Service Commission Vs. Israr Ahmad**” reported in **(2005) 12 SCC 498**, the Hon’ble Supreme Court held that a selection process constitutes an integrated continuum, and that a candidate who qualifies at the preliminary stage in the General category cannot alter that status at the stage of the main examination on the ground that the requisite certificate was obtained subsequently. The status of a candidate in a competitive selection must remain consistent throughout the process; once a candidate opts for a particular category at the threshold, that choice binds her at every subsequent stage. Permitting a mid-course change of category would undermine the principle of equal treatment among all candidates.

24. This position was reiterated by the Hon’ble Supreme Court in **“Rajasthan High Court, Jodhpur & Ors. Vs. Neetu Harsh & Ors.”**, reported in **(2021) 11 SCC 383**, wherein it was held that a candidate who fails to claim reservation at the initial stage,



omits to furnish the requisite certificate and pays the General category fee cannot claim the benefit of a reserved category after selection.

25. Thus, considering the overall facts and circumstances of the case, this Court finds that the appellant was given sufficient opportunity to rectify the alleged mistake in filling up the category in consonance with Clause 17 of the Advertisement itself, i.e., within 7 days of filling up the application form, and thereafter, in view of the Press Note dated 07.10.2025, necessary corrections could had been made during the period from 06.10.2025 to 16.10.2025. The appellant failed to avail the opportunity so provided. It was only after the declaration of the result, and having found the result not suiting her eligibility, that the application was moved. The fact that the appellant waited for the declaration of the result itself reflects that the appellant had purposely chosen not to change the category in the form filled up by her. The controversy, as such, is covered by the judgment of the Hon'ble Apex Court in the case of **Rajasthan High Court, Jodhpur & Ors. v. Neetu Harsh & Ors.** (supra), as well as judgment passed by the Division Bench of this Court in the case of **Piyush Kavivya & Ors.** (supra), wherein it has been clearly held that once the category has been filled up and the candidate has failed to avail the opportunity to rectify the same at the earliest, the applicant cannot claim any right whatsoever to seek amendment in the category at a later stage.

26. In view of the above, this Court finds that the learned Single Judge, while rejecting the writ petition has not committed any error and accordingly, the present special appeal is dismissed.





27. Stay petition and all other pending applications also stand dismissed.

(SANDEEP SHAH),J

(VINIT KUMAR MATHUR),J

15/Nitin/C.P.Goyal/-

