



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

S.B. Civil Writ Petition No. 24818/2025

Sushila D/o Derama, Aged About 26 Years, Resident Of Guruon
Ka Goliya, Tamliyar, Barmer, District Barmer.

-----Petitioner

Versus

1. The State Of Rajasthan, Through Its Secretary, Home Department, Government Of Rajasthan, Secretariat, Jaipur, Rajasthan.
2. The Director General Of Police, Police Headquarter, Jaipur, Rajasthan.
3. Inspector General Of Police, Jodhpur Range, Jodhpur.
4. Superintendent Of Police, Barmer, District - Barmer.

-----Respondents

For Petitioner(s) : Ms. Shaambhvi Mardia.

HON'BLE MR. JUSTICE MUNNURI LAXMAN

Order

18/12/2025

1. At the request of the learned counsel for the petitioner, the matter has been taken up and heard for final disposal at the admission stage itself.
2. The present writ petition has been filed challenging the disqualification of the petitioner from the Physical Examination Test/Physical Standard Test in the selection process on the post of Constable – Driver Female (Barmer).
3. The case of the petitioner is that the petitioner applied for the post of Constable – Driver in the Woman category and she was successful in the written examination. Her Physical Efficiency Test was also scheduled on 14.12.2025 and prior to the above test, she



made a representation dated 29.11.2025 informing the authorities that she was pregnant woman and has delivered a baby on 29.11.2025. Therefore, she sought relaxation of participation in the scheduled date of Physical Efficiency Test in terms of conditions of the advertisement.

4. The petitioner having made such a representation, voluntarily appeared in the Physical Examination Test on 14.12.2025 since no orders have been passed by the respondents giving the requisite relaxation, as provided under the advertisement, to the petitioner.

5. The grievance of the petitioner is that the petitioner could not qualify in the running test of Physical Standard Test on account of her short gap in the participation from the date of delivery of child.

6. When the Rules are giving relaxation to the candidates to participate in the Physical Standard Test at a later date, in the present case, the petitioner's test is required to be relaxed in terms of the Rules and conditions of the advertisement.

7. It is apt to refer to the relevant condition No. 10 of the advertisement which reads as under:-

“10. शारीरिक दक्षता परीक्षा (Physical Efficiency Test):-

लिखित परीक्षा (OMR Based Test) में पदवार/वर्गवार/ महिला/पुरुष रिक्तियों के पाँच गुणा सफल रहे अभ्यर्थियों एवं कॉन्स्टेबल बैण्ड पद के आवेदकों को शारीरिक दक्षता परीक्षा में सम्मिलित किया जायेगा। अभ्यर्थी शारीरिक दक्षता परीक्षा में सम्मिलित होने से पूर्व राजकीय चिकित्सक से शारीरिक दक्षता परीक्षा (दौड़) में भाग लेने हेतु शारीरिक रूप से योग्य होने का प्रमाण-पत्र सम्बन्धित केन्द्र पर आवश्यक रूप से प्रस्तुत करेगा।



उसके उपरान्त ही अभ्यर्थी को शारीरिक दक्षता परीक्षा में सम्मिलित किया जायेगा।

लिखित परीक्षा में उत्तीर्ण होने के उपरान्त शारीरिक दक्षता परीक्षा में गर्भवती महिलाओं (प्राधिकृत चिकित्साधिकारी से प्रमाण पत्र व दस्तावेज के आधार पर) को शामिल करने हेतु जिला/यूनिट स्तर पर यदि उक्त अभ्यर्थी पीईटी/पीएसटी में उत्तीर्ण हुई होती तो (विशेष योग्यता के अंक सहित) तो जिला/यूनिट में उसके अंक वर्ग की कटऑफ से अधिक होने की स्थिति में ही उसके लिए पद रिक्त रखा जाएगा और कटऑफ से कम अंक होने पर कोई पद रिक्त नहीं रखा जाएगा। गर्भवती महिला अभ्यर्थी को शारीरिक दक्षता परीक्षा में सम्मिलित नहीं होने की सलाह दी जाती है, परन्तु शारीरिक दक्षता परीक्षा के दिन उपस्थित होकर उपरोक्तानुसार सूचना से बोर्ड के समक्ष प्रार्थना पत्र प्रस्तुत करना अनिवार्य होगा। साथ ही प्रसव होने की दिनांक अधिकतम 06 माह की अवधि में ऐसे अभ्यर्थी को सम्बन्धित जिला/यूनिट में पीईटी/पीएसटी हेतु प्रार्थना पत्र मय राजकीय चिकित्साधिकारी के फिटनेस प्रमाण पत्र के प्रस्तुत करना अनिवार्य होगा।

शारीरिक दक्षता परीक्षा के लिए निर्धारित मापदण्ड :-

समस्त अभ्यर्थियों को शारीरिक दक्षता परीक्षा में उत्तीर्ण होने के लिये 05 कि.मी. दौड़ निम्नानुसार समय सीमा में पूर्ण किया जाना आवश्यक है :-

पदनाम	पुरुष	महिला	भूतपूर्व सैनिक	ट्राईबल सब प्लान क्षेत्र के अनु. जाति / अनु. जनजाति
कान्स्टेबल (सामान्य / चालक / बैण्ड)	25 मिनट	35 मिनट	30 मिनट	30 मिनट



नोट:-

1. शारीरिक दक्षता परीक्षा में दौड़ हेतु केवल एक ही अवसर प्रदान किया जायेगा। शारीरिक दक्षता परीक्षा के लिए कोई अपील करने का अवसर देय नहीं होगा।

2. निर्धारित समयावधि में दौड़ पूर्ण नहीं करने वाले अभ्यर्थियों को शारीरिक दक्षता परीक्षा (PET) में अनुत्तीर्ण मानते हुए भर्ती की अग्रिम प्रक्रिया में सम्मिलित नहीं किया जावेगा।”

8. From a reading of the above condition No. 10, it is clear that there is a suggestion to the pregnant woman not to participate in the Physical Efficiency Test. However, they must appear on the day fixed for Physical Efficiency Test and submit an application with necessary information quoted hereinabove. In the present case, in fact, the petitioner well in advance has submitted a representation seeking exemption from appearing in the Physical Efficiency Test and in fact, she presented herself before the authorities on the scheduled date. Instead of waiting for decision on exemption in terms of the provisions/conditions of the advertisement, she appeared in the scheduled Physical Efficiency Test even though she delivered a baby just two weeks prior to the participation in the Physical Efficiency Test.

9. The Rules and even the conditions of the advertisement, advice a pregnant woman not to participate in the Physical Efficiency Test keeping in view the medical conditions of the pregnant woman after delivery. Even after delivery, she is required to submit the fitness certificate within six months from the date of delivery for participating in the Physical Efficiency Test though the petitioner has participated in the Physical Efficiency Test.





10. Considering the medical and physical condition of the petitioner, the delivery date and the scheduled date for Physical Efficiency Test, this Court is of the view that the present petitioner shall be given one more opportunity to participate in the Physical Efficiency Test keeping in mind the relaxation as provided in terms of the conditions of the advertisement.

11. Therefore, this Court is inclined to dispose of the instant writ petition by directing the concerned respondents to sympathetically consider the case of the petitioner by taking into consideration her physical/medical condition to participate in the future Physical Efficiency Test within a maximum period of six months upon her producing the requisite fitness certificate from the State Medical Officer maximum within a period of six months.

12. Till such an opportunity is given, the respondents are directed not to fill-up one post of Constable-Driver Female (Barmer).

13. With the above directions and observations, the instant writ petition is **disposed of**.

14. All the pending applications, if any, shall stand disposed of.

(MUNNURI LAXMAN),J

358-Mohan/-