


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

S.B. Civil Writ Petition No. 732/2026

Preeti Gurjar W/o Late Sh. Devendra Kumar Gurjar D/o Sh. Vishnukant Gurjar, Aged About 41 Years, R/o Tejaji Ka Chowk, Nathdwara, Dist. Rajsamand.

----Petitioner

Versus

1. The State Of Rajasthan, Through Secretary, Department Of Revenue, Government Of Rajasthan, Jaipur.
2. The Rajasthan Staff Selection Board, Jaipur Through Its Secretary.

----Respondents

For Petitioner(s) : Ms. Ayushi Solanki
For Respondent(s) : --

HON'BLE MR. JUSTICE MUNNURI LAXMAN
Order

20/01/2026

1. Heard on the interim stay application.
2. The present writ petition challenges the rejection of the petitioner's candidature for appointment to the post of Patwari. The petitioner applied under the OBC category and also sought reservation under the General-Widow category. Pursuant to the advertisement, she participated in the selection process and was found meritorious, leading to her provisional selection in the list published by the respondent authorities.
3. By way of a common order dated 31.12.2025, the petitioner's candidature was rejected on the ground that she is not entitled to reservation under the General-Widow category because, at the time of her marriage, she was under the marriageable age.

4. As per Section 5(iii) of the Hindu Marriage Act, 1955 (hereinafter referred to as 'the Act of 1955'), the marriageable age for a bride is 18 years and for a groom is 21 years. Section 12 of the Act of 1955 stipulates that a marriage solemnized in violation of the aforementioned conditions is voidable; however, such a marriage can only be annulled at the instance of the party who was under the legal age disability. In the present case, since the marriage was never challenged, it is deemed valid for all intents and purposes. Consequently, the age at the time of marriage has no impact on her eligibility for the widow reservation.

5. Furthermore, having gone through the advertisement conditions, the advertisement conditions do not reflect that a widow is disqualified, if at the time of her marriage she is under age. If such condition is not there to avail such reservation one must be a widow and there is no other condition. In the said backdrop, the stand taken by the respondents is *prima facie* unsustainable.

6. In the said circumstances, the respondents are directed to keep one post vacant under the General-Widow category.

7. Issue notice to the respondents, returnable within a period of four weeks.

8. Post the matter on **04.03.2026**.

(MUNNURI LAXMAN),J