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**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
WP No. 7452 of 2024**

*(ANTRA SISODIYA AND OTHERS Vs THE HON HIGH COURT OF MADHYA PRADESH PRINCIPAL SEAT AT
JABALPUR AND OTHERS)*

Dated : 21-03-2024

*Shri Siddharth R. Gupta - Advocate with Shri Ashish Mishra and Shri
Aryan Urmaliya - Advocates for petitioners.*

Shri Ashish Shrotri - Advocate for respondents No.1 and 2.

Shri Suyash Thakur - Government Advocate for respondent No.3.

Heard learned counsels.

The primary case of the petitioners is that no category has been created for the physically handicapped and they have been considered along with the General/Unreserved category for Civil Judge, Junior Division (Entry Level) Exam - 2022.

Learned counsel for the respondents submits that there is no category so far as giving reservation at the preliminary stage but however, so far as each category is concerned, they are required to be differently categorised to enable 1:10 candidates to appear for the main examination. It is further submitted by the learned counsel for the respondents that there is no separate list so far as the physically handicapped candidates are concerned. They are clubbed along with the other candidates.

This prima facie we find is absent in the instant case. When seats have been earmarked for the physically handicapped then in that event the candidates in the ratio of 1:10 in the physically handicapped category are entitled to appear for the main examination. Hence, we are of the view that the matter requires to be considered. Since the examinations are scheduled to be held on 30.03.2024

and 31.03.2024, we deem it just and necessary to grant an interim order.

The respondents are directed to permit the petitioners to appear in the main examination of Civil Judge Junior Division (Entry Level) Exam - 2022, provided they have secured the minimum benchmark for the respective category. The results shall be subject to further orders of this Court.

The respondents are at liberty to file their detailed reply by the next date.

Since we have permitted the petitioners herein to appear for the examination provided they have cleared the benchmark for the respective category, we are of the considered view that all similarly placed candidates should also be extended the said benefit even though they are not before us. It is only just and appropriate that all such physically handicapped candidates, who have secured the benchmark, shall be entitled to appear for the main examination.

The Registry to ensure that this order is communicated to all such physically handicapped candidates through e-mail individually, by a publication in the newspapers and a note on the website of the High Court forthwith.

(RAVI MALIMATH)
CHIEF JUSTICE

(VISHAL MISHRA)
JUDGE

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