

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (Filing) No. 13772 of 2025

Vaishnavi Petitioner
Versus

The State of Jharkhand and Others Respondents

**CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Petitioner: Mr. Atulaya Shresth, Advocate
For the State: Mr. Piyush Chitresh, A.C. to A.G.
For the JPSC: Mr. Sanjoy Piprawall, Advocate
Mr. Prince Kumar, Advocate
Mr. Rakesh Ranjan, Advocate
Mr. Jay Prakash, Advocate

03/Dated: 22.01.2026

1. Heard the learned counsel for the parties.
2. One of the issues involved in this matter is whether the same could be treated as Public Interest Litigation (PIL).
3. Mr Piprawall, learned counsel appearing for the Jharkhand Public Service Commission (JPSC), points out that, in service matters or in challenges to the vires of statutory provisions, PILs are not normally entertained. He also points out that the petitioner, in her individual capacity, has already instituted W.P. (S) No. 5668 of 2025; therefore, this petition may not be entertained as a Public Interest Litigation.
4. Learned counsel for the petitioner points out that the above-referred Writ Petition No. 5668 of 2025 challenges a concluded selection in which the petitioner was not selected for failure to furnish a disability certificate in the format referred to in the notification dated 3rd of April 2018. However, he submits that this PIL concerns ongoing and future selection processes where disability certificates in that

format are insisted upon, based on the notification dated 3rd of April 2018.

5. The learned Counsel submits that the 2018 notification, which is now challenged in this petition, is not the subject matter of challenge in Writ Petition No. 5668 of 2025 instituted by the petitioner and pending before the learned Single Judge. He further points out that this notification may have been based on the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, and therefore does not take cognisance of the two additional disabilities introduced by the Rights of Persons with Disabilities Act, 2016. Accordingly, he submits that the petitioner is espousing a general public-interest cause, as it would not be easy for candidates with disabilities to pursue such issues.

6. Although we generally do not entertain Public Interest Litigations in service matters or address issues of validity of statutory provisions, we remain conscious that we are dealing with the rights of persons with disabilities. Such issues need to be addressed with enhanced sensitivity. Besides, this is not a case where the vires of a statutory provision is being challenged, but resolution no. 2249 dated 03.04.2018 is alleged to be *ultra vires* the 2016 Act and the rules made thereunder.

7. Although the petitioner may derive some benefits if the reliefs sought in this Public Interest Litigation are granted, the petitioner is one of the class of persons who are likely to benefit should the reliefs in this petition be allowed. The issue raised is also important from the perspective of persons with disabilities. Some clarity on this issue, either way, would go a long way toward helping persons with

disabilities understand their position. The petitioner is certainly not espousing this matter with any oblique motive or entirely out of personal considerations. The incidental benefits that the Petitioner might derive as a member of the class that cannot always easily approach the Courts of law are not a good enough ground to decline to entertain this petition as a PIL.

8. Therefore, upon a holistic consideration, we direct the registration of this petition as a Public Interest Litigation.

9. Further, we direct that the petitioner's Writ Petition No.5668 of 2025 pending before the learned Single Judge be called for to be disposed of along with this Public Interest Litigation, so that there is no possibility of any conflicting verdicts. Besides, it would be in the interest of justice that all these issues are decided by the Division Bench in these consolidated proceedings.

10. If the respondents wish to file any responses, they should file and serve them by the 13th of February 2026. If the Petitioner wishes to file a rejoinder, she may do so by the 20th of February 2026. **List both matters on 25 February 2026 under the appropriate heading.**

(M. S. Sonak, C.J.)

(Rajesh Shankar, J.)

January 22, 2026

Manoj/ Sharda/Cp.1