



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Service Single No. 2043 of 2026

05 August, 2026

Kamal Kumar

--Petitioner

Versus

State Of Uttarakhand and Others

--Respondents

Presence:-

Ms. Menka Tripathi, learned counsel for petitioner.

Mr. R.C. Joshi, learned Brief Holder for the State of Uttarakhand/respondent Nos.1 and 3.

Mr. Shailendra Nauriyal, learned counsel for respondent No.2-Selecting Body.

Hon'ble Pankaj Purohit, J. (Oral)

Petitioner had applied for the post of Assistant Teacher, L.T. Grade (Drawing/Art) pursuant to the advertisement dated 13.10.2020. But, the recruitment process was cancelled and the respondent-Selecting Body has issued a fresh advertisement on 14.03.2024.

2. Since, petitioner has become overage, he has filed a writ petition before the Coordinate Bench of this Court being WPSS No.613 of 2024 *Kamal Kumar Vs. State of Uttarakhand and Another*, for relaxation in upper age limit, in view of the fact that earlier advertisement was cancelled and in the meantime, petitioner got overage. The said writ petition was allowed and respondent-Commission was directed to consider the application filed by petitioner pursuant to advertisement dated 13.10.2020, as valid application for fresh advertisement dated 14.03.2024 issued by the respondent-Commission.



3. Petitioner claimed reservation under the EWS category in the application form submitted pursuant to advertisement dated 13.10.2020 and it was stated that petitioner was issued a valid EWS certificate.

4. Learned counsel for petitioner submits that the petitioner's candidature is not being considered by the respondent No.2-Selecting Body on the ground that EWS Certificate was issued to petitioner in the year 2020. Petitioner is ready to submit EWS Certificate issued in the year 2023-24, which has not been accepted by the respondent No.2-Selecting Body.

5. Learned counsel for respondent No.2-Selecting Body was directed to get instruction in the matter and to apprise the Court as to why the EWS certificate issued in the year 2023-24 is not being accepted by the respondent No.2-Selecting Body.

6. Today, learned counsel for respondent No.2-Selecting Body, on instruction, submits that petitioner has filled up the offline application form pursuant to advertisement dated 14.03.2024, in which he has not claimed reservation for EWS Category, and therefore, the said EWS certificate is not being considered.

7. The stand taken by respondent No.2-Selecting Body is totally misconceived, as petitioner's application form filled pursuant to advertisement dated 13.10.2020 was directed to be treated as valid



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one, in which he had claimed reservation in EWS category. Thus, the stand taken by learned counsel for respondent No.2-Commission cannot be sustained.

8. In view of the above, the present writ petition is disposed of, with a direction to respondent No.2-Selecting Body to accept the EWS Certificated issued to petitioner in the year 2023-24 for considering his candidature pursuant to the fresh advertisement dated 14.03.2024, and if the petitioner is found selected within EWS category and makes it to merit-list, he shall be recommended for appointment for the post of Assistant Teacher, L.T. Grade (Drawing/Art).

9. Pending application stands disposed of.

(Pankaj Purohit, J.)

05.08.2026

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