

(2025) 04 SHI CK 1135
In the High Court Of Himachal Pradesh
Case No : CWP No. 7020 Of 2025

Raja Ram Sahu

APPELLANT

Vs

Union Of India & Another

RESPONDENT

Date of Decision : 30-04-2025

Acts Referred:

Uttar Pradesh Trade Tax Act, 1948 — Section 4
unjab General Sales Tax Act, 1948 — Section 30

Citation : (2025) 04 SHI CK 1135

Hon'ble Judges : Tarlok Singh Chauhan, J; Sushil Kukreja, J

Bench : Single Bench

Advocate : Shrawan Dogra, Manik Sethi, Anup Rattan, Yashwardhan Chauhan, Ramakant Sharma, Navlesh Verma, Sharmila Patial, Swati Draik, Shalabh Thakur, for the Sunita Sharma, Dhananjay Sharma

Final Decision : Allowed

Judgement

Ajay Mohan Goel, J

1. Notice. Mr. Shiv Pal Manhans, learned Senior Panel Counsel, accepts notice on behalf of the respondents. By way of this petition, the petitioner has, inter alia, prayed for the following reliefs:-

"i) That a writ in the nature of mandamus or any other appropriate writ, order or direction, may kindly be issued to the respondents whereby they may be directed to grant one additional chance to the petitioner to appear in the UPSC and CSE examination for the year 2025.

ii) That a writ in the nature of mandamus or any other appropriate writ, order or direction in the nature thereof and declare that the action of the respondents while not issuing appropriate policy for grant of an extra attempt to candidates failed in UPSE/Civil Services Examination 2020 as affected by pandemic of Covid-19, is being violative of Articles 14, 19, 29 and 21 of the Constitution of India

iii) That writ in the nature of mandamus to extend one additional attempt to the petitioner as he is barred from attempting the examination in future on account of age bar.

iv) That the respondent No. 2 may kindly be directed to decide the representation of the petitioner sympathetically in view of the recommendations of Parliamentary Standing Committee forthwith and provide one extra attempt to the petitioners, in addition to number of permissible attempts.”

2. The case of the petitioner is that he has been preparing for the Civil Services Examinations conducted by Union Public Service Commission since the year 2013. He appeared in the exam conducted by Union Public Service Commission from the year 2013 till the year 2020, whereafter he became overage. His case is that he could not properly avail his last chance, in the year 2020 due to COVID-19 Pandemic and thus, could not pass the preliminary examination and as now he has become overage, therefore, a mandamus be issued to the respondents to give one more chance to the petitioner to appear in the Civil Services Examination.

3. Having heard learned counsel for the petitioner, this Court is of the considered view that this writ petition is completely misconceived.

4. It is not the case of the petitioner that on account of some unforeseen circumstance including COVID-19 Pandemic, the petitioner was not able to avail the last opportunity of appearing in the Civil Services Examination. Here is a candidate, who has been unsuccessful in all his attempts since the year 2013 upto the year 2020 and now he is calling upon this Court to issue a mandamus to give him one more chance for no valid reason. This Court appreciates that if there is a candidate who is not able to avail the last chance for reasons beyond his or her control, then if such a candidate approaches the Authorities or the Court of Law, the grievance of such a candidate is understandable. But, herein when the petitioner has unsuccessfully availed all his chances, then this is no excuse that because, he could not prepare efficiently on account of COVID-19 Pandemic, he deserves one more chance. It is not in dispute that the examination was conducted by the Union Public Service Commission, in which the petitioner participated alongwith many other candidates, amongst whom, some were successful also, for whom also, the circumstances were akin as were being faced by the petitioner on account of COVID-19 Pandemic, therefore also, the petitioner does not deserves any special chance.

5. Therefore, as this Court does not finds any merit in the present petition, the same is dismissed. Pending miscellaneous applications, if any, also stand disposed of.