

(2022) 12 UK CK 0070
In the Uttarakhand High Court
Case No : Writ Petition No. 3321 Of 2022 (MS)

Rajan	Vs	APPELLANT
State Of Uttarakhand And Others		RESPONDENT

Date of Decision : 19-12-2022

Acts Referred:

Citation : (2022) 12 UK CK 0070

Hon'ble Judges : Sanjaya Kumar Mishra, J

Bench : Single Bench

Advocate : Nikhil Bisht, T.S. Phartiyal

Final Decision : Allowed

Judgement

Sanjaya Kumar Mishra, J

1. By filing this writ petition, the petitioner has prayed for the following reliefs:

(i) Issue writ, order or direction in the nature of Mandamus commanding and directing the respondents to grant 9 month and 7 days age relaxation to the petitioner in upper age limit for contesting the election of student union of Government Degree College Chinyalisaur, Uttarkashi, Uttarakhand.

(ii) Issue a writ, order or direction in the nature of Mandamus commanding and directing the respondents to decide the representation of the petitioner.

2. There is no dispute at the Bar that because of the Covid19 pandemic, no election could be held in the college for the last two academic sessions. Therefore, the petitioner, who is a student of Government Degree College, Chinyalisaur, Uttarkashi, Uttarkhand, was denied of any chance of participating in the election as a candidate. Participation in the elections of college union is an integral part of the education, in view of the fact that an opportunity is given to the students for developing their leadership qualities and because such a valuable right has been denied to the petitioner, hence, the writ petition is allowed.

3. The respondent no. 3 is directed to grant age relaxation to the petitioner for two years for the purpose of participating in the election. This may be taken as precedent and any other candidates, who have also been denied of any chance of participating in election, may also be granted age relaxation for two years.