
(2021) 08 UK CK 0316

In the Uttarakhand High Court

Case No : Writ Petition (S/B) No. 338 Of 2021

Rajeev Moyal

APPELLANT

Vs

State Of Uttarakhand & Others

RESPONDENT

Date of Decision : 23-08-2021

Acts Referred:

Citation : (2021) 08 UK CK 0316

Hon'ble Judges : Manoj Kumar Tiwari, J;Alok Kumar Verma, J

Bench : Division Bench

Advocate : Abhijay Negi, B.P.S. Mer, N.S. Pundir, Dr. Kartikey Hari Gupta

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. Petitioner is a student of 6th semester of LL.B. Course in Libra College of Law, which is affiliated to Hemwati Nandan Bahuguna, Garhwal University.

2. By means of this writ petition, petitioner has sought the following reliefs:-

â??I. Issue a writ, order, or direction in the nature of Mandamus, commanding the respondents to permit the petitioner to appear for the APO

(Assistant Prosecution Officer) examinations notified vide advertisement no.A-1/E-2/APO/2021 dated 03.08.2021 (Annexure No. 02).

II. Issue a writ order or direction in nature mandamus allowing relaxation of submitting his last three semester results, that have been delayed by

HNBGU, due to the ongoing Covid-19 pandemic and to allow the Petitioner to submit the required documents at the time of document verification.â??

3. Admittedly, petitioner has not completed his LL.B. Course and he is yet to appear in the final semester examination, which is scheduled to

commence from 01.09.2021 and will continue till 14.09.2021.

4. Petitioner wants extension of last date of submission of application for competitive examination for appointment to the post of Assistant Prosecuting Officer.

5. In sequel to the order dated 17.08.2021, Mr. Kamendra Singh, Secretary, Uttarakhand Public Service Commission has joined the Court through video conferencing. He has made a statement that in view of the difficulty faced by some of the candidates, the Commission has decided to extend the last date for submission of application for the post of Assistant Prosecuting Officer, by another ten days and, notification in that regard is likely to be issued today itself. Thus, according to him, the last date for submission of application would now be 2.09.2021 in place of 23.08.2021, earlier fixed in the advertisement.

6. Admittedly, petitioner does not possess the basic educational qualification for the post of Assistant Prosecuting Officer. A candidate becomes eligible for appointment only upon award of LL.B. degree, while, petitioner is yet to appear in the final semester examination of LL.B. Course, therefore, the relief as claimed in the writ petition cannot be granted.

7. Having regard to the statement made by Secretary, Uttarakhand Public Service Commission, the writ petition stands disposed of. No order as to costs.