

(2006) 07 UK CK 0048

In the Uttarakhand High Court

Case No : Writ Petition No. 825 of 2006 (M/B)

Rajesh Kumar Chaturvedi

APPELLANT

Vs

State of Uttaranchal and Another

RESPONDENT

Date of Decision : 20-07-2006

Acts Referred:

Citation : (2007) 1 UC 225

Hon'ble Judges : Rajeev Gupta, C.J.; Prafulla C. Pant, J

Bench : Division Bench

Advocate : Tanuj Semwal, for the Appellant; N.B. Tewari, Chief Standing Counsel, for the Respondent

Final Decision : Dismissed

Judgement

Rajeev Gupta, C.J.

Mr. Tanuj Semwal, Advocate for the Petitioner.

Mr. N.B. Tewari, Chief Standing Counsel for Respondent No. 1.

None for Respondent No. 2.

1. They are heard on admission.

2. Petitioner Rajesh Kumar Chaturvedi has filed this writ petition for the following reliefs:

(i) issue a writ, order or direction in the nature of mandamus directing the Respondent No. 2 to accept/submit the application form for Uttaranchal State Combined Civil Services (Mains) Examination 2004 of the Petitioner sent through speed post treating it to be within time and permit the Petitioner to appear in the said Mains Examination.

(ii) issue any other suitable writ, order or direction which the Hon'ble court may deem fit and proper under the facts and circumstances of the case.

3. The Petitioner, in substance, is seeking a direction to Respondent No. 2 Uttaranchal Public Service Commission to accept the Petitioner's application form for Uttaranchal State Combined Civil Services (Mains) Examination, 2004, which admittedly reached the office of the second Respondent two days after the last date for the submission of the forms.

4. Any direction to the Respondents of the nature sought by the Petitioner would not only open a "flood gate" but would also upset the time schedule of the examinations fixed by Uttaranchal Public Service Commission. Any such change in the time schedule of the examination would certainly affect the interest of thousands and thousand of the candidates adversely.

5. The Petitioner, when he received the form from Uttaranchal Public Service Commission in the month of April, 2006, was well aware that the last date of submission of the form was 20-05-2006. Even then, the Petitioner took the risk of dispatching the form as late as on 19-05-2006 only. Admittedly, the Petitioner's application form reached the office of the Uttaranchal Public Service Commission on 22-05-2006 i.e. two days after the last date for submission of the form i.e. 20-05-2006.

6. In view of the above-mentioned broad features of the case, we do not find any ground to grant the reliefs sought by the Petitioner in the writ petition.

7. The writ petition, therefore, is liable to be dismissed and is hereby dismissed summarily.

8. Consequently, CLMA No. 8286 of 2006 also stands dismissed.