

(2025) 03 PAT CK 1407

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No.2638 of 2019

Ujjawal Prashant

APPELLANT

Vs

Union Public Service Commission and Ors

RESPONDENT

Date of Decision : 17-03-2025

Acts Referred:

Citation : (2025) 03 PAT CK 1407

Hon'ble Judges : Harish Kumar, J

Bench : Single Bench

Advocate : Satyeshwar Prasad, Rakesh Kumar, Amish Kumar

Final Decision : Disposed Of

Judgement

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Harish Kumar, J

1. Heard The Parties.

2. The Petitioner Is Aggrieved With The Order As Contained In Letter No. 1/8(15)/2018-E.Xii Dated 09.11.2018 Issued Under The Signature Of The Under Secretary, Union Public Service Commission, Dholpur House, Shehjalam Road, New Delhi, (Hereinafter Referred To As The 'Commission'), Whereby The Commission Has Cancelled The Candidature Of The Petitioner For National Defence Academy And Naval Academy Examination (Ii), 2015 Held On 09.09.2018 And Has Debarred Him Permanently From Appearing In All The Further Examinations/Selections To Be Held By The Commission With Immediate Effect.

3. Learned Advocate For The Commission Has Drawn The Attention Of This Court To The Counter Affidavit Filed On Behalf Of The Respondent Nos. 1 To 4, Especially Annexure-R/1 And Submitted That A Lenient View Has Been Taken By The Commission On Being Found The Case Of The Petitioner Identical To Shri Raj Aryan. Referring To Annexure-R/1, Learned Advocate For The Commission Has

Urged Before This Court That The Commission Has Suo Motu Decided To Convert The Period Of Debarment Of The Petitioner (Shri Ujjawal Prashant) (From Appearing In All The Examinations) By Reducing The Same To The Actual Period Of Debarment Which He Had Already Undergone From November, 2018. Consequently His Debarment Period Stands Expended And Would Be Over By The Date Of Issuance Of This Order.

4. In View Thereof, Learned Advocate For The Commission Further Contended That Now The Debarment Period Stands Over, Hence The Order Impugned Which Has Been Modified Later On Lost Its Effect.

5. Learned Advocate For The Petitioner Refuting The Aforesaid Contention, Contended That Since The Petitioner Was Debarred From Appearing In All The Examinations/Selections Of The Commission, Apart From Cancellation Of His Candidature, That Would Affect Him Future In His Career Prospective.

6. Suffice It To Observe That Since The Order As Contained In Annexure-R/1 Is Silent Over The Issue Of Any Stigma Or Impediment Raised By The Petitioner, It Is Observed That The Modified Order As Contained In Anneuxre R/1 Shall Not Affect In Any Manner, The Career Of The Petitioner In Future, Save And Except The Period Of Debarment, As Has Been Disclosed Therein.

7. Accordingly, The Writ Petition Stands Disposed, Having Become Infructuous.