

Court No. - 34

Case :- WRIT - A No. - 18310 of 2023

Petitioner :- Alok Kumar

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Siddharth Khare, Sr. Advocate

Counsel for Respondent :- C.S.C., Siddharth Singhal

Hon'ble Ajit Kumar, J.

By means of present petition filed under Article 226 of the Constitution, the petitioner has prayed for following relief:

"a. writ, order or direction of a suitable nature commanding the respondent no. 2 to forthwith recommend the name of the petitioner as a duly selected candidate for appointment as Assistant Boring Technician in the Minor Irrigation Department of the State in pursuance to the Advertisement No. 06-Examination/2019 within a period specified by this Court."

The argument advanced by learned Senior Advocate is that petitioner has scored aggregate 60.25 marks as against last cut off of 57.5 for the candidates belonging to EWS category. He further submits that petitioner was not afforded proper opportunity for document verification which was done to produce relevant requisite document for the purpose of appointment.

Per contra, Sri Siddharth Singhal, learned Advocate for the commission submits that ample opportunity was afforded for all those candidates selected for verification of documents on scheduled date and those who could not do the same for inevitable circumstances and remained absent on the schedule date, and intimated this fact to the commission by 5:00 pm on 15.6.2023, they were permitted to appear for document verification by way of second opportunity for document verification and no further opportunity would be provided.

It is submitted that this alone was duly notified by commission on 16th May, 2023 and yet petitioner failed to do so. He further submits that there is no discrepancy in conducting the assessment of OMR sheet. However, even if petitioner applies for his OMR sheet, he may make representation in that regard that will be looked into in accordance with law.

In view of above, this petition stands disposed of with direction to the petitioner to make a representation in respect of his grievance regarding supply of requisite OMR sheet within two weeks from today and in the event any such representation is made by the petitioner, the same shall be decided within a further period of two weeks.

Order Date :- 1.11.2023

Sanjeev