



2026:UHC:4688-DB

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPSB/224/2024</u> <u>Hon'ble Manoj Kumar Tiwari, J.</u> <u>Hon'ble Pankaj Purohit, J.</u> 1. Mr. J.C. Karnatak, learned counsel for the petitioner. 2. Mr. Rajeev Singh Bisht, learned Additional C.S.C. for the State of Uttarakhand. 3. Ms. Menka Tripathi, learned counsel for the respondent-Selecting Body. 4. Petitioner participated in a selection for appointment to the post of Assistant Professor (Sociology) held by Uttarakhand Public Service Commission pursuant to advertisement dated 04.12.2021. Petitioner claims benefit of reservation available to Other Backward Classes, however, she submitted OBC certificate along with her application, which was issued in 2018 while the advertisement required that OBC certificate should not be more than three years old. Since petitioner's OBC certificate was more than three years old, therefore, her candidature was rejected. 5. Uttarakhand Public Service Commission thereafter invited objections by issuing a notification, however, petitioner did not submit any objection within stipulated time. 6. In this writ petition, petitioner has sought the following reliefs:-



			(i) Issue a writ, order or direction in the nature of certiorari quashing the ground of decision of rejection of petitioner (Contained in Annexure-4) at serial no. 12 for the post of Assistant Professor (Sociology), taken by the respondent no. 2. (ii) Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to accept the candidature of petitioner and grant her an opportunity to participate in the interview for the post of Assistant Professor (Sociology). 7. Coordinate Bench directed the Commission to permit the petitioner to participate in the selection process, however, it was provided in that order that result of the selection should not be declared without leave of the Court. Pursuant to that interim order, petitioner participated in the selection. 8. Since the result of entire selection could not be declared in view of interim order, therefore, on the last date, Ms. Menka Tripathi, learned counsel appearing for the Commission submitted that she may be permitted to produce the result of the selection in a sealed cover before the Court to ascertain whether petitioner has scored more marks than the cut-off marks. 9. We, accordingly, directed the counsel appearing for the Commission to produce the result in a sealed cover. Today, the result has been produced before us in a sealed cover, which was opened in the presence of learned counsel for the parties. Perusal of the result indicates that petitioner scored only 33 marks out of 100. 10. Learned counsel appearing for the Commission submits that candidate belonging to Other Backward Classes are
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			required to score minimum 40 marks, in other words the cut-off marks for OBC candidates is 40 marks. Since petitioner scored 33 marks, which is less than 40 marks, therefore, petitioner was unsuccessful in the selection. 11. Thus, there is no scope for interference with the matter. The issue raised by petitioner in the writ petition are, therefore, of academic interest only. Accordingly, we refuse to consider other aspects in this writ petition. The writ petition fails and is dismissed. 12. The result, produced by Ms. Menka Tripathi, learned counsel appearing for the Commission, is returned to her. The Commission / Selecting Body may conclude the selection process by making recommendation to the Appointing Authority. (Pankaj Purohit, J.) (Manoj Kumar Tiwari, J.) 11.06.2026 <i>Aswal</i>
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