



HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Service Single No. 2060 of 2026

05 August, 2026

Lakshmi Rawat

--Petitioner

Versus

1: State Of Uttarakhand

2: Uttarakhand Subordinate Service Selection Commission

--Respondents

Presence:-

Mr. Prashant Khanna with Mr. Yash Bisht, Advocates for petitioner.

Mr. R.C. Joshi, learned Brief Holder for the State.

Mr. Shailendra Nauriyal, learned Counsel for respondent no.2-Selecting Body

Hon'ble Pankaj Purohit, J. (Oral)

Present writ petition has been filed by petitioner seeking a writ of mandamus directing the respondents to consider the candidature of petitioner under the Uttarakhand General –Women (GEN-W) for the post of Revenue Sub-Inspector (Patwari) by treating the entry of ‘No’ against ‘Uttarakhand Women’ in her online application form as an inadvertent error.

2. Facts of the case are that petitioner submitted an application form for recruitment on the post of Revenue Sub-Inspector (Patwari) pursuant to the advertisement issued by respondent no.2-Selecting Body on 09.04.2025. It is undisputed that petitioner, while filling up her own application form, did not claim reservation for GEN-W sub-category of Uttarakhand Woman by writing ‘No’ against the column in the application form. Petitioner participated in the written examination. She could not make it to the select list meant for Uttarakhand GEN-W sub-category, and consequently, was not called for physical examination.



3. Present petition has been filed by petitioner with the following prayers: -

“(a) To issue a writ of mandamus directing the respondents to consider the candidature of petitioner under the General-Women GEN-W sub-category for the post of Revenue Sub-Inspector (Patwari) by treating the entry of ‘No’ against ‘Uttarakhand Women’ in her online application as an inadvertent error, and consequently permit the petitioner to participate in the Physical Measurement and Efficiency Test scheduled to be conducted on 06.08.2026, she having secured 71.75 marks against the GEN-W cut-off of 68.50 marks;

(b) To issue a writ of mandamus directing respondent no.2 to consider and decide the representation dated 23.07.2026 submitted by petitioner.”

4. Learned Counsel for petitioner contends that the mistake which has been committed by petitioner while filling up the on-line application form was inadvertent, and since she is the domicile of the State of Uttarakhand, respondents may be directed to treat her as an Uttarakhand Women for the purpose of extending the benefit meant for the Uttarakhand GEN-W sub-category.

5. Learned Counsel for the respondent-Selecting Body submits that the prayer made by petitioner cannot be accepted as it was the petitioner only, who with open eyes, filled up the application form and wrote ‘No’ in the column meant for claiming reservation under Uttarakhand GEN-W sub-category. He further submits that petitioner should have been cautious and careful while filling up the application form, and now after selection, petitioner cannot be permitted to change the category and claim the benefit of GEN-W sub-category of Uttarakhand.

6. Learned Counsel for petitioner relied upon a



judgment passed by Hon'ble Delhi High Court in W.P. (C) No.9230 of 2022 '*Ms Charu Kain v. High Court of Delhi*' decided on 03.06.2022 (2022 SCC Online Del 1735). Reliance has also been placed upon a judgment passed by the Apex Court in the case of '*Vashist Narayan Kumar v. State of Bihar and others*' reported in (2024) 11 SCC 785, wherein the Apex Court permitted the petitioner therein to correct the incorrect date of birth filled in the application form.

7. Learned Counsel for petitioner submits that in view of aforesaid judgments, since the mistake committed by petitioner in the application form is a *bona fide* mistake and trivial in nature, therefore, the said mistake should be overlooked and the petitioner be permitted to participate in the selection process as Uttarakhand GEN-W sub-category.

8. Per contra, learned Counsel for the respondent has relied upon the judgment rendered by a Division Bench of this Court in SPA No.76 of 2010 (*Yamini Joshi v. State and another*) 2010 SCC Online Utt 1224 decided on 08.06.2010. Another judgment which has been relied upon by the respondent in SPA No.149 of 2019 (*Chandra Prakash v. State and others*) reported in 2019: UHC: 2737:DB.

9. On the strength of aforesaid judgments passed by the Division Bench of this Court, learned Counsel for respondent-Selecting Body submits that the facts in the case of Yamini Joshi (**Supra**) are quite similar to the facts of present case. He then submits that the case of petitioner is even weaker as she has not left the column blank, instead wrote 'NO' in that column which was



meant for claiming benefit under the Uttarakhand GEN-W sub-category.

10. Having heard learned Counsel for the parties and upon perusal of the case laws relied upon by learned Counsel for the parties, this Court is of the view that the judgments relied upon by learned Counsel for the petitioner are of no help to the petitioner. In the judgment rendered by the Apex Court in the case of Vashist Narayan Kumar (**Supra**), the mistake of petitioner caused no harm or benefit to him as he was seeking correction of date of birth in application form, but in the present case, if the writ petition is allowed, the petitioner will get benefit of her own mistake as she will then fall into Uttarakhand GEN-W sub-category and would affect the last woman selected in the said category.

11. Insofar as the judgment rendered by the Hon'ble Delhi High Court in Charu Kain (**Supra**) is concerned, the judgments rendered by the Division Bench of this Court in Yamini Joshi and Chandra Prakash, being binding precedents, squarely cover the controversy involved in the present case. The Division Bench has held that a candidate who fails to claim reservation in the prescribed column of the application form, cannot subsequently seek consideration under the reserved category, having never applied for the same. In the present case, the petitioner's case stands on a still weaker footing as she expressly entered 'NO' in the relevant column meant for claiming the benefit under the Uttarakhand General Women Sub-Category.

12. Moreover, the 'Instructions to Candidates' specifically provide that the information furnished in the



application form shall be treated as final. Instruction No.14(iii) of the advertisement is reproduced hereinbelow:-

14(iii) (अभ्यर्थी द्वारा आवेदन-पत्र में भरी गई जानकारी को अंतिम समझा जाएगा।)

13. The afore-mentioned instruction clearly implies that the information once furnished by the applicant in the application form would be final.

14. Having consciously declared 'No' in the relevant column, the petitioner cannot be permitted to alter such declaration after commencement of selection process.

15. Accordingly, no case for interference is made out. The writ petition fails and the same is dismissed.

16. Pending application, if any, stands disposed of.

(Pankaj Purohit, J.)
05.08.2026

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DANG**

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