



2026:UHC:138-DB

Reserved on 23.12.2025

Delivered on 05.01.2026

**IN THE HIGH COURT OF UTTARAKHAND  
AT NAINITAL**

**Writ Petition (S/B) No.691 of 2024**

Savita Rani

.....Petitioner

**Versus**

Uttarakhand Public Service Commission

And Another

.....Respondents

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**Presence:-**

Mr. Bhagwat Mehra, learned counsel for the petitioner.

Mr. K.N. Joshi, learned Deputy A.G. for the State.

Mr. Pankaj Miglani, learned counsel for respondent no.1/UKPSC through  
Video Conferencing.

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**Coram : Hon'ble Ravindra Maithani, J.  
Hon'ble Alok Mahra, J. (Per.)**

By means of present petition under Article 226 of  
the Constitution of India, the petitioner has sought  
following reliefs:

- (i) “To issue a writ, order or direction in the nature  
of certiorari quashing the impugned  
notification/ineligibility list dated 30.09.2024  
issued by respondent no.1, in so far as it relates  
to the petitioner (Sl. No. 8, Roll No. 514824);
- (ii) To issue a writ, order or direction in the nature  
of certiorari quashing the impugned tentative  
ineligibility list dated 03.06.2024 issued by  
respondent no.1, in so far as it relates to the  
petitioner (Sl. No. 6, Roll No. 514824);



- (iii) To issue a writ, order or direction in the nature of mandamus commanding the respondent Commission to permit the petitioner to participate in the interview for the post of Assistant Professor (Physics), Government Degree College, pursuant to the selection in question;
- (iv) To issue a writ, order or direction in the nature of mandamus commanding the respondent authorities to grant all consequential benefits to the petitioner.”

2. Brief facts, as borne out from the record, are that respondent no.1 issued an advertisement dated 04.12.2021 inviting applications for 455 posts of Assistant Professor in various Government Degree Colleges in the State of Uttarakhand. Out of these, 36 posts were for Physics, of which 22 posts were reserved for Scheduled Caste candidates. As per the advertisement, the selection process comprised short-listing on the basis of Academic Performance Indicator (API) score, followed by interview, and final selection was to be made on the basis of marks obtained in the interview. The petitioner applied online pursuant to the said advertisement and was declared successful in the short-listing result dated 13.04.2022, whereafter she was required to submit relevant documents by 04.05.2022, which she admittedly submitted. Thereafter,



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in June, 2024, respondent no.1 uploaded a tentative ineligibility list dated 03.06.2024, proposing rejection of certain candidates, including the petitioner. Subsequently, a final rejection list dated 30.09.2024 was published, declaring the petitioner ineligible. Hence, the present writ petition.

3. Learned counsel for the petitioner would submit that the petitioner is a domicile of Uttarakhand, belongs to the Scheduled Caste category, holds a First Division M.Sc. (Physics) degree, is UGC-NET qualified, has also qualified CSIR-JRF, UTET-I and UTET-II, and has worked as Guest Faculty in Government Degree Colleges. It is contended that the petitioner's candidature was rejected on a hyper-technical and flimsy ground, namely, that the marksheet of the Master's degree did not explicitly mention total marks obtained and maximum marks, although the percentage and division were clearly reflected. It is further submitted that the tentative ineligibility list dated 03.06.2024 mentioned only roll numbers and not the names of candidates, and was neither properly published nor effectively communicated, thereby depriving the petitioner of a meaningful opportunity to submit objections. The petitioner further submits that during the relevant period she was in an advanced stage of pregnancy, delivered a child on 15.09.2024, and thus could not become aware of the tentative ineligibility list.



4. *Per contra*, learned counsel for respondent no.1 submits that under Clause 4(1) read with Table 3(B) of the advertisement, API scores are strictly dependent on percentage of marks obtained. It is submitted that the petitioner submitted only the final year marksheet of M.Sc., without producing documents reflecting total marks obtained and maximum marks for the entire Master's degree, making verification of API score impossible. The tentative ineligibility list dated 03.06.2024 was duly uploaded on the website, published through public notice in newspapers, and intimation was sent to the registered e-mail IDs of candidates, including the petitioner, granting 15 days' time to submit objections, i.e., till 18.06.2024. The petitioner failed to submit any representation within the stipulated time. Consequently, in terms of Clause 13(1)(3) of the advertisement, she was finally declared ineligible vide notification dated 30.09.2024. It is further submitted that pursuant to the selection process, interviews were conducted in January, 2025, final results declared on 13.02.2025, and appointments have already been made.

5. Learned counsel for the parties and perused the record.

6. It is not in dispute that the petitioner applied pursuant to the advertisement dated 04.12.2021 and was initially shortlisted. It is also not disputed that verification of API score was an essential condition under the



advertisement. The material on record establishes that the petitioner failed to submit documents showing total marks obtained and maximum marks for the Master's degree, which was essential for calculating percentage and verifying API score. The respondent Commission has placed on record that the tentative ineligibility list was published, objections were invited within a specified time, and intimation was sent on the registered e-mail ID of the petitioner. Despite opportunity, the petitioner failed to submit objections within time. Though the petitioner has contended non-receipt of e-mail, despite direction of this Court dated 13.11.2024, she failed to file a supplementary affidavit denying receipt of such communication. This omission adversely affects her credibility. It is a settled principle that terms of the advertisement are binding, and neither the Court nor the recruiting authority can dilute or relax eligibility conditions after commencement of the selection process.

7. The Hon'ble Supreme Court in *Bedanga Talukdar Vs. Saifudaullah Khan and Others*, (2011) 12 SCC 85, held that "The selection process must strictly adhere to the terms of the advertisement and any deviation would be impermissible." In *Maharashtra Public Service Commission through its Secretary Vs. Sandeep Shriram Warade and Others*, (2019) 6 SCC 362, it was held that "a candidate who fails to satisfy eligibility criteria on the cut-off date has



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no right to appointment, and sympathy cannot override statutory rules.” In Ashok Kumar Sharma and Others Vs. Chander Shekhar and Another, (1997) 4 SCC 18, the Supreme Court categorically ruled that “eligibility conditions cannot be relaxed or altered after the selection process has begun.” Further, in Union of India and Others Vs. N. Murugesan and Others, (2022) 2 SCC 25, it was reiterated that “Courts must exercise restraint in interfering with recruitment processes conducted by statutory commissions, particularly after completion of selection.”

8. In view of the above discussion, this Court finds that the petitioner failed to comply with mandatory documentary requirements; adequate opportunity was afforded to submit objections; the selection process has since been concluded and appointments made; Interference at this stage would unsettle the entire selection.

9. The writ petition, therefore, lacks merit and is accordingly dismissed.

10. No order as to costs.

(Alok Mahra, J.)

(Ravindra Maithani, J.)

05.01.2026

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RANI**

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