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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.534 OF 2026

1. Rohit S/o. Digambar Kamble,
Age: 35 years, Occu.: Student,
R/o. At Post Yenegur, Tq. Omerga,
Dist. Dharashiv.
2. Nayana Rajaram Patil,
Age: 40 years, Occu.: Student,
R/o.Flat No.C-205, Sun City,
Ambegaon, Pune, Dist. Pune. ... Petitioner

Versus

1. The State of Maharashtra
Through Its Principal Secretary,
School Education and Sports
Department, Mantralaya, Mumbai.
2. The Commissioner of Education,
Pune, Central Building, Pune.
3. The Maharashtra State Council
of Examination, Pune. ... Respondents

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Mr. Kedar G. Anmole a/w Mr. Abhishek C. Deshpande, Advocates for
Petitioners

Ms. Neha B. Kamble, APP for Respondents No.1 and 2

Mr. A.R. Nikam, Advocate for Respondent No.3

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CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.

DATED : 14 JANUARY, 2026

JUDGMENT [Per Hiten S. Venegavkar, J.] :-

1. Rule. Rule is made returnable forthwith. With the consent of the
learned advocates appearing for the parties, the petition is taken up for
final hearing at the stage of admission.

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2. The petitioner invokes the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India, seeking, in substance, a direction to the respondents to permit modification/updation of the online self-certification submitted on the *Pavitra Portal* 2025 by uploading an earthquake certificate and a project affected certificate of the petitioners, respectively, in the horizontal reservation category and to further permit the petitioners to continue in the ongoing selection process for Shikshan Sevak/Teachers-2025. The petitioners also seek exemption from clause 9(b) of the recruitment guidelines dated 15.12.2025, which, as pleaded, requires that certificates relied upon in the self-certification must bear a date prior to the cut-off date of 14.05.2025.

3. The petitioner states that they have passed the TAIT examination 2025 for recruitment of teachers. They applied to the recruitment process by uploading an online self-certification on the *Pavitra Portal* containing personal, reservation, academic and other particulars. It is pleaded that candidates were required to submit the requisite documents mentioned in the self-certification on or before 14.05.2025. As per the guidelines dated 15.12.2025, the certificate of horizontal reservation or any other certificate mentioned in the self-certification was required to be dated on or before 14.05.2025. Petitioner No. 1

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claims horizontal reservation on the basis of an earthquake certificate dated 02.09.2025. Petitioner No. 1 pleads that she applied for such certificate on 13.05.2025 and could not receive it prior to 14.05.2025 because of delay attributable to the concerned department. Petitioner No. 2 claims horizontal reservation on the basis of a project affected certificate dated 27.05.2025. She pleaded that she applied on 02.04.2025 but did not receive the certificate prior to 14.05.2025. The petitioners contended that their receipts evidencing applications for such certificates are prior to 14.05.2025 and ought to be treated as sufficient compliance. They also plead that such certificates can be used once in a lifetime and therefore strict insistence on the date clause would operate harshly. They made representations on 17.12.2025 and 24.12.2025 requesting permission to continue in the selection process by considering receipts prior to the cut-off date.

4. Learned advocate for the petitioners submits that the petitioners did whatever lay within their control by applying for issuance of certificates before the cut-off date, delay in issuance was attributable to the authorities, and therefore, the petitioners ought not to be penalized by exclusion from the process. The submission is that the relevant fact is eligibility in substance and the date of issuance of a certificate should not defeat such eligibility, particularly when the petitioners had applied

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before the cut-off date. On this premise, a mandamus is sought to permit uploading of the certificates and to exempt the petitioners from the impugned clause.

5. Learned AGP for the State and learned advocate appearing for respondent No.3 opposes the petition. Learned AGP submits that the self-certification and the governing guidelines expressly stipulate that the horizontal reservation certificate must be issued on or before 14.05.2025. The time for submission has long expired. The documents relied upon by the petitioners are dated after the cut-off date, the online system does not permit uploading at this stage and any judicial direction to accept such documents would amount to rewriting the terms of the recruitment. Prejudicing other candidates and undermining certainty and equal opportunity in public employment.

6. We have considered the rival submissions. The controversy, though presented as one of technicalities, in essence concerns judicial interference with a stipulated eligibility/cut-off condition in a time-bound public recruitment process and the permissibility of directing relaxation after the last date, particularly where the recruitment conditions are explicit.

7. The law on cut-off date and eligibility in public recruitment is well settled. A candidate must satisfy the prescribed eligibility conditions as on the cut-off date specified in the rules or in the advertisement, and if no specific cut-off date then the last date for receipt of applications is treated as the relevant date. The Hon'ble Apex Court has reiterated the principle that eligibility conditions are examined with reference to the last date for submission of applications and relied upon a consistent line of authorities including the case of *Rekha Chaturvedi v. University of Rajasthan*, 1993 supp. (3) SCC 168 and *Rakesh Kumar Sharma versus Government of NCT of Delhi*, (2013) 11 SCC 58, emphasizing that absent a fixed date, uncertainty would prevail and the recruitment could be manipulated, hence the only certain date is the last date for making applications.

8. Equally, the Hon'ble Supreme Court has cautioned against relaxation of recruitment conditions after the schedule in the advertisement and/or rules has commenced. Unless a specific power is reserved and is exercised consistently with constitutional requirements of equality and fairness. In the case of *Bedanga Talukdar v. Saifudaullah Khan and others*, (2011) 12 SCC 85, a case concerning submission of disability-related documentation, the Hon'ble Supreme Court held that when a particular schedule is mentioned in an advertisement, it must be scrupulously maintained, there cannot be relaxation in the terms and

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conditions of the advertisement unless such power is specifically reserved and in absence of such power, Courts ought not to direct acceptance of essential documents beyond the stipulated stage as doing so would offend Article 14 and 16 of the Constitution of India.

9. More recently, the Hon'ble Supreme Court in the context of reservation claims, has reaffirmed the strict approach where the governing framework mandates possession of the requisite certificate by the closing date. In *Divya v. Union of India and Others*, (2024) 1 SCC 448 dealing with EWS certificates under the civil services examination rules, the Hon'ble Supreme Court noted that the crucial date for submitting the certificate is the closing date for receipt of applications unless fixed otherwise and that the candidate must be in possession of the requisite certificate on or before the cut-off date prescribed by the rule or notice. These decisions underscore the systemic necessity of certainty, equal competition and non-arbitrariness in the recruitment process.

10. Tested on the aforesaid principles, the relief sought cannot be granted. The petitioners do not merely seek consideration of documents at a later stage, but they seek a direction to reopen and alter the online self-certification already submitted on the *Pavitra Portal* and more fundamentally, to exempt them from the stipulated requirement that the

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relevant horizontal reservation certificates must be dated on or before 14.05.2025. The recruitment guidelines as pleaded prescribe a clear cut-off date. There are no pleadings challenging the fixation of 14.05.2025 as the cut-off date on the grounds of arbitrary, discriminatory, mollified or contrary to any statutory rules. In the absence of such foundational pleadings and proof, judicial review does not extend to re-fixing or modifying cut-off dates as a matter of sympathy or individual hardship.

11. The petitioner seeks to overcome the cut-off date by relying on receipts showing that applications for certificates were made prior to 14.05.2025. However, the condition pleaded before us is not that the candidate must have applied for a certificate before the cut-off date, the condition is that the certificate itself must be dated on or before the cut-off date. Once the rules or the notice so provides, acceptance of a latter issued certificate or a direction to treat receipts as equal would amount to relaxation or rewriting of the eligibility conditions. In public recruitment, such judicially crafted relaxation risks prejudice to other candidates who may have refrained from applying or claiming a category benefit because they did not possess the requisite certificate by the cut-off date. The Hon'ble Supreme Court has consistently treated this as a serious constitutional concern, rooted in equal opportunity. The reasoning in *Vedanga Talukdar* (supra) squarely applies to the facts of the present case where courts cannot direct relaxation of stipulated

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documents/eligibility requirements in the absence of a reserved power to relax and particularly not in a manner that disturbs a notified schedule and selection conditions.

12. Even on the petitioner's own pleadings, the factual matrix does not commend interference. Petitioner No. 1 applied for the earthquake certificate on 13.05.2025, i.e. one day before the cut-off date. Petitioner No. 2 applied on 02.04.2025. The incidents giving rise to the claimed entitlement to horizontal reservation as the petition itself indicates occurred years earlier. The petitioners being 35 and 40 years of age as stated in the cause title, have not offered any satisfactory explanation as to why the process for obtaining certificates based on events of long-standing was initiated at the end of the cut-off date window. The authorities before issuing such certificates are expected to verify old records and genuineness, time taken for such verification cannot in every case be branded as delay warranting judicial interference into the recruitment norms.

13. The petitioners also submit that the certificates are once in a lifetime and therefore non-consideration would be harsh. Hardship however cannot be the measure to invalidate a cut-off date or to compel relaxation in a selection governed by clear terms. Fixation of a cut-off date is a policy or administrative decision, ordinarily immune from

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interference unless it is shown to be arbitrary, discriminatory or violative of statutory provisions. The petition is conspicuously lacking in any pleadings or material to demonstrate such infirmity.

14. Finally, the prayer to permit modification and/or updation on the portal at this stage also cannot be granted as a matter of course. Courts are slow to issue directions that require reopening digital application modules or altering submissions after closure of the application windows because such directions affect the integrity and uniformity of the process and can generate cascading claims. This is precisely why the Hon'ble Supreme Court has emphasized scrupulous adherence to the notified schedule and warned against *post facto* relaxation absent a reserved power.

15. In view of the settled law and the facts pleaded, we are not persuaded that the petitioners have made out any case for exercise of writ jurisdiction to direct acceptance of certificates dated after the cut-off or to exempt them from the governing clause.

16. The writ petition is accordingly dismissed. Rule discharged. No orders as to cost.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE