HIGH COURT OF ANDHRA PRADESH

* * * *

WRIT APPEAL No.1025 of 2026

Between:
Kumari A Varsha

.....PETITIONER

AND
The State of Andhra Pradesh and 2 others

.....RESPONDENTS

DATE OF JUDGMENT PRONOUNCED **: 02.11.2026**
DATE OF JUDGMENT UPLOADED : 11.11.2026

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE RAVI NATH TILHARI
&
THE HON'BLE SRI JUSTICE ALAPATI GIRIDHAR

1. *Whether Reporters of Local newspapers may be allowed to see the Judgments?* *Yes/No*

2. *Whether the copies of judgment may be marked to Law Reporters/Journals* *Yes/No*

3. *Whether Your Lordships wish to see the fair copy of the Judgment?* *Yes/No*

_____
RAVI NATH TILHARI, J

_____
ALAPATI GIRIDHAR, J

APHC010431582026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

*** THE HON'BLE SRI JUSTICE RAVI NATH TILHARI**
&
*** THE HON'BLE SRI JUSTICE ALAPATI GIRIDHAR**

\+ **WRIT APPEAL No.1025 of 2026**

% 02.11.2026

Between:
Kumari A Varsha

.....PETITIONER

AND
The State of Andhra Pradesh and 2 others

.....RESPONDENTS

! Counsel for the Petitioner : Munakala Venkataramana

Counsel for the Respondents :

< Gist :

> Head Note:

? Cases Referred:

1. 2020 SCC OnLine All 848

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT APPEAL NO: 1025 OF 2026

ORDER :-*(per Hon'ble Sri Justice Ravi Nath Tilhari)*

Heard Sri Munakala Venkataramana, learned counsel for the appellant and perused the material on record.

2. The appellant is the writ petitioner in W.P.No.22950 of 2025. The writ petition was filed raising the grievance that the respondents therein were not considering the claim of the petitioner under the Economically Weaker Section (EWS) quota inspite of submission of documentary proof even prior to the publication of results. According to the case of the writ petitioner, the said inaction was arbitrary and illegal.

3. In the writ petition the interim order dated 13.08.2025 was granted, the operative part of which reads as under:

> "Having heard the respective counsel, the issue needs to be seen from the purport and the reason for providing reservation under the EWS category. As long as the certificates in favour of the Petitioner stating that the Petitioner hails from EWS are genuine and undoubted, the case of the Petitioner in the opinion of this Court should be considered under the said category. Therefore, there shall be an interim direction to consider the EWS certificate of the Petitioner and to consider her case under the said category."

4. The State of Andhra Pradesh (respondents in writ petition), challenging the interim order, filed W.A.No.1012 of 2025 and the same

was allowed vide order dated 16.09.2025. The interim order dated 13.08.2025 was set aside. The operative part of the order dated 16.09.2025 reads as under:

> "6. No doubt, we are agreeing with the opinion of the learned Single Judge that as long as the EWS certificate issued in favour of the respondent is subsisting, she is entitled for consideration under the said category. But, in the present case, the respondent failed to submit that certificate while making application. As such, she is not entitled for such benefit to be extended under the EWS category at present.
>
> 7. In view of the above, in our considered view, it is appropriate and reasonable to set aside the interim order, dated 30.08.2025 in W.P.No.22950 of 2025 passed by the learned Single Judge.
>
> 8. Accordingly, the interim order of the learned Single Judge, dated 30.08.2025 in W.P.No.22950 of 2025 is hereby set aside. It is needless to mention that the learned Single Judge has to dispose of the Writ Petition uninfluenced by any of the observations made in this order.
>
> 9. With the above directions, the Writ Appeal is allowed."

5. Learned Single Judge has finally dismissed the Writ Petition No.22950 of 2025 on merits vide judgment dated 09.02.2026 against which the present writ appeal has been filed.

6 From perusal of the record, what is undisputed is that the petitioner did not apply under the EWS quota. She also did not submit any such certificate at the time of submission of the application.

7. In the case of the very same writ appellant, in W.A.No.1012 of 2025, a Co-ordinate Bench has observed that "……..but, in the present

case, the respondent failed to submit the certificate while making application. As such, she is not entitled for such benefit to be extended under the EWS category".

8. Further, in the writ petition judgment, the learned Single Judge has observed that "the petitioner submitted her application on 07.01.2025 under the OC category and specifically indicated 'No' for EWS in the relevant column". That is also not undisputed. Once the petitioner did not apply under the EWS quota at the time of application, subsequently, the petitioner cannot claim any benefit under the category of EWS.

9. In ***Ruksar Khan v. State of U.P.***[1]***,*** the Allahabad High Court held that In matters of public affairs, like the process of recruitment to posts under the State, there has to be an element of certainty. The process of recruitment must proceed on the foundation of firm and reliable data. A public recruitment cannot be permitted to be a shaky affair with shifting positions of aspirants about their candidature. If this were to be permitted, it would introduce uncertainties in the recruitment process leading to its embarrassment. Paras 65 & 66 in ***Ruksar Khan*** (supra) are reproduced as under:

> **65.** In matters of public affairs, like the process of recruitment to posts under the State, there has to be an element of certainty. The process of recruitment must proceed on the foundation of firm and reliable data. A

[1] 2020 SCC OnLine All 848

public recruitment cannot be permitted to be a shaky affair with shifting positions of aspirants about their candidature. If this were to be permitted, it would introduce uncertainties in the recruitment process leading to its embarrassment. It has also to be borne in mind that where a number of posts have to be filled up, expeditious conclusion of the recruitment process requires an unhassled and unhindered course to be run. It is bearing, thus, objectives all legitimate, in mind that the candidates have been held bound down by the entries they make in the application forms. This cannot be permitted to be set at naught by falling back upon the rather out of place consideration for 'human error'. There is an added feature about those cases where mistake is an omission to claim a reservation category. The process of recruitment has gone ahead, where 1,46,060 candidates have been selected in the written examination held by the Examination Regulatory Authority, U.P., Prayagraj. The next stage of recruitment, that is, counselling is underway or completed, in the hands of the Basic Shiksha Parishad. The Basic Shiksha Parishad had published a notification for the purpose way-back on 16.05.2020 and initiated the process of final selection. To permit a candidate at this stage to claim a reservation category, which he/she has omitted to mention in the online application form, would introduce a new aspirant in the concerned reservation pool, and in all probability may lead to displacement of a candidate, already selected. It would work grave injustice and inequity.

66. I had occasion to consider the issue about rectification to an application form relating to the present examination, where the error sought to be corrected was about an unclaimed reservation category, in Writ - A No. 4552 of 2020, *Deepti Singh* v. *State of U.P.*, decided on 23.06.2020. In *Deepti Singh* (supra), it was held:

> "This Court has keenly considered the matter. It is true that the mistake on the petitioner's part of not mentioning her horizontal reservation category may be inadvertent but the terms and conditions in the form do not permit the petitioner to reform the same lateron, once she has filled up and submitted the examination form, without claiming something as important as a reservation category. A

> reservation category is one that places the petitioner in a special selection pool of 2% candidates. Once the recruitment process has gone ahead, a selectee in that pool whose result has been declared or on way would be disturbed because the petitioner now makes her claim, if permitted. This kind of a late reform of the petitioner's candidature entitling her to seek selection under a reservation category cannot be permitted in the opinion of this Court."

10. We do not find any illegality in the order of the learned Single Judge in W.P.No.22950 of 2025.

11. The Writ Appeal is dismissed.

No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall also stand closed.

RAVI NATH TILHARI, J

ALAPATI GIRIDHAR, J

Date: 02.11.2026
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THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

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