SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			SPA/75/2018 State of Uttarakhand and others --Appellants **Versus** Km. Niranjana Uniyal --Respondent **Hon'ble Manoj Kumar Tiwari, A.C.J.** **Hon'ble Subhash Upadhyay, J.** Mr. J.C. Pandey, Standing Counsel for the State of Uttarakhand/appellants. 2. Mr. Atul Bahuguna, Advocate appearing for the respondent. 3. This intra court appeal is filed against final order dated 06.04.2017, passed by learned Single Judge in Writ Petition (S/S) No. 15 of 2017. The impugned order is reproduced below for ready reference:- *"Petitioner submitted an application for the post of Assistant Teacher in pursuance of advertisement dated 17.02.2016.* *However, inadvertently, petitioner has written 555 and 900 conversely. It would not have made any difference. It is apparent to the naked eyes that the petitioner has obtained 555 marks out of 900 marks.* *The respondents-had-adopted very technical approach. Petitioner was fully eligible and qualified for the post of Assistant Teacher (General).* *The action of the respondents is arbitrary and thus, is violative of Articles 14 and 16 of the Constitution of India.* *Accordingly, the writ petition is allowed. Respondents are directed to accept the application form (Annexure No.3) of the petitioner and to consider the candidature of the petitioner for appointment to the post of Assistant Teacher (General) within ten weeks from today."*

			4. Learned counsel for appellants submits that applications for the post of Assistant Teacher in Government Primary Schools are digitally scrutinised and the application submitted by writ petitioner (respondent herein) was rightly rejected, as she had mentioned the maximum marks, before mentioning the marks actually scored by her in application form. 5. Learned Single Judge has considered the matter and held that for a trivial mistake, a candidate cannot be made to suffer. 6. It is not in dispute that the writ petitioner had scored 555 marks out of 900, therefore, merely because she had mentioned 900 before 555, in itself cannot be a ground for rejecting her candidature. 7. Thus, we do not find any scope for interference. 8. The Special Appeal fails and is dismissed. If the post is available, then claim of the writ petitioner (respondent) shall be considered, as per law. **(Subhash Upadhyay, .J.) (Manoj Kumar Tiwari, A.C.J.)** 30.10.2026 Navin

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