

(2025) 11 AHC CK 0068

Allahabad HC

Case No: WRIT A No. 10351 Of 2025

Rekha Pal

APPELLANT

Vs

State of U.P. and 2
others

RESPONDENT

Date of Decision: Nov. 7, 2025

Hon'ble Judges: Saurabh Shyam Shamshery, J

Bench: Single Bench

Advocate: Siddharth Khare, Siddharth Singhal

Final Decision: Dismissed

Judgement

Saurabh Shyam Shamshery, J

1. Heard Sri Ashok Khare, learned Senior Advocate assisted by Sri Kauntey Singh, learned counsel for petitioner and Sri Siddharth Singhal, learned counsel for respondents.

2. Petitioner has applied for examination for the post of Instructor in pursuance of Adv. No. 02-Examination/2022 conducted by Uttar Pradesh Subordinate Service Selection Commission, Lucknow.

3. It is not disputed that petitioner is qualified for post of Instructor being a Diploma Holder as well as having a National Trade Certificate (NTC). There was a reservation to the extent of 50% for each category.

4. It is also not disputed that while submitting the online application, petitioner has only mentioned details of Diploma in Cosmetology. She has not mentioned about NTC as well as that she has not made any correction within stipulated time and in such conditions only, she appeared in examination, however, she

got less marks than cut off marks so far as candidates belonging to diploma are concerned, therefore, she remained unsuccessful.

5. Learned Senior Advocate has submitted that she was qualified if her candidature is considered amongst candidates having NTC and since at the stage of submitting documents, she has also submitted NTC which was verified also, therefore, her claim ought to have been considered amongst candidates having NTC, hence, petitioner is prejudiced.

6. Per contra, learned counsel for respondents by referring relevant clause of advertisement has submitted that it was duty of petitioner-candidate to submit correct details as well as that documents could be verified only on basis of details submitted in online application, even other documents were submitted, therefore, claim of petitioner was considered on basis of her eligibility of diploma which was mentioned in online application and admittedly, she got less marks than cut off marks in said category.

7. In support of his submissions, learned counsel for respondents has placed reliance upon a judgment of coordinate Bench of this Court in Ashutosh Kumar Srivastava and others vs. State of U.P. and others, Writ A No. 4070/2020 decided on 30.05.2020.

8. I have considered above submissions and perused the records.

9. Undisputedly, petitioner was not careful while submitting form online. She has chosen to apply only on basis of diploma and she competed accordingly and her selection was also considered only on basis of diploma and admittedly she got marks below cut off marks.

10. If submission of learned Senior Advocate is accepted, it would open a pandora box that in similar circumstances, even a candidate remains careless and has failed to submit correct details and has even failed to make correction in stipulated time would approach this Court, therefore,, argument of learned Senior Counsel that claim of petitioner that her marks be considered amongst the candidates applied under the category of NTC cannot be accepted.

11. The dictum of Ashutosh Kumar Srivastava (supra) is also against submission of the petitioner, therefore, there is no reason to allow prayer of this writ petition that petitioner be recommended for appointment on post of Instructor in Cosmetology on the basis of NTC since admittedly, she has not filed the details of NTC in online form and has failed to correct the details within stipulated period, therefore, there is no reason to accept her plea.

12. Accordingly, writ petition lacks merit, hence, dismissed.