

Ajay Kumar Vs. U. P. Public Service Commission, Allahabad and Another

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Court : Allahabad

Decided On : May-22-2000

Reported in : 2000(3)AWC1946

Judge : M. Katju and ;D. R. Chaudhary, JJ.

Appeal No. : C.M.W.P. No. 24802 of 2000

Appellant : Ajay Kumar

Respondent : U. P. Public Service Commission, Allahabad and Another

Advocate for Def. : S. C.

Advocate for Pet/Ap. : Neeraj Tiwari and ;Umesh Narain Sharma, Advs.

Judgement :

M. Katju and D. R. Chaudhary, JJ.

1. Heard learned counsel for the parties.
2. The petitioner applied for Combined/State Subordinate Services (Preliminary) Examination. 2000. According to him, inadvertently he could not mention in the application Form his qualification as B.Com. and on that ground, his application was rejected.

3. We are of the opinion that the U. P. Public Service Commission should not reject forms on such technicalities. Several petitions are coming up before this Court where forms are rejected due to technical omissions, e.g., that the candidate did not fill in his date of birth or his qualification, etc. Obviously, these are cases of human error and a person should not be penalized for this. All humans can commit errors. The proper course of action for the Commission is that in such cases, the Commission should call and ask the candidate to fill in the omission, and it should not reject his application Form on such technicalities.

4. A Division Bench of this Court in Writ Petition No. 20650 of 1999, Rana Pratap Singh v. U. P. Public Service Commission and another, decided on 19.5.1999 allowed a similar petition.

5. Accordingly, this petition is also allowed. The petitioner is permitted to fill in, in his application Form his qualification as B.Com., etc. after producing the original certificate etc. as required by the Commission.

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