



2026:AHC-LKO:40989

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - A No. - 6089 of 2026

Pooja Kumari @ Pooja Chandra

.....Petitioner(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Deptt. Home
Lko. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Vinod Kumar Mishra, Rakesh Kumar
Counsel for Respondent(s)	: C.S.C., A.S.G.I., Raj Kumar Upadhyaya (R.K.Upadhyaya)

Court No. - 3

HON'BLE KARUNESH SINGH PAWAR, J.

Heard learned counsel for the petitioner, learned Standing counsel for respondent no. 1 and Shri Ravi Shankar Tiwari, learned counsel for respondent no. 2 and 3 as well as Shri Varun Pandey, learned counsel for respondent no. 4.

By this petition, the petitioner has prayed for the following relief:-

"(i) Issue a writ, order or direction in the nature of Mandamus commanding the opposite parties, particularly opposite party nos. 2 and 3, to accept the hard copy of the application form and the accompanying documents submitted by the petitioner pursuant to the notice/advertisement dated 07.05.2026 relating to the Assistant Prosecution Officer (Mains) Examination-2025;

(ii) Issue a writ, order or direction in the nature of Mandamus commanding the opposite parties to permit the petitioner to participate in the Assistant Prosecution Officer (Mains) Examination-2025 scheduled to be held on 28.06.2026 and to consider her candidature strictly in accordance with law."

Learned counsel for the petitioner submits that the petitioner had dispatched the hard copies of the requisite documents in compliance with Clause 3 of the notification dated 07.05.2026 (Annexure No. 4) on 25.05.2026. It is contended that once the documents were sent through registered post within

the stipulated period, the petitioner cannot be held responsible if the same did not reach the Commission on or before 29.05.2026. It is further submitted that there was a legitimate expectation that the documents sent by registered post would ordinarily reach the destination within two days.

Per contra, learned counsel appearing for respondent nos. 2 and 3 submits that all candidates, including the petitioner, were duly notified through the notification dated 07.05.2026 that the online application form along with the requisite annexures was required to be submitted to the Commission either through registered post or by personal delivery on or before 29.05.2026. It is further submitted that the notification specifically stipulated that the physical copies of the application form and supporting certificates must be received by the Commission by 5:00 p.m. on 29.05.2026. Since the petitioner's documents were not received by the Commission within the prescribed cut-off date and time, the same could not be considered. In support of his submissions, learned counsel has placed reliance upon the Full Bench judgment of this Court in ***Rajendra Patel Vs. State of U.P., AIR 2015 All 161.***

Perused the record.

It is not disputed that under the notification dated 07.05.2026, the candidates were informed that the requisite documents were required to be submitted to the Commission either through registered post or by personal delivery so as to reach the Commission on or before 29.05.2026 by 5:00 p.m. It is also not in dispute that the petitioner's documents were not received by the Commission within the stipulated cut-off date and time.

The Full Bench of this Court in *Rajendra Patel* (supra), while answering the reference, has categorically held that where the terms of an advertisement or notification require an application to be received by a specified last date, it would not be open to the Court to direct consideration of an application that has not been received within the prescribed period, notwithstanding the mode of dispatch adopted by the applicant. Paragraph 22 of the judgment, being relevant, is extracted below:-

"22. For these reasons, we hold that where the Commission requires the submission of a hard copy of the online application together with all accompanying documents by a

prescribed last date and has clearly placed the candidates on notice of the fact that an application which is submitted beyond the last date together with the prescribed documents would result in the invalidation of the candidature, the condition which has been imposed by the Commission would have to be scrupulously observed. It would not be open to the Court to hold that notwithstanding such a clear condition, an application which has not been received by the last date should be entertained. The Commission has given an option to candidates of submitting their applications in the hard copy by either of the two modes, namely by registered post or by personal delivery. A candidate who has opted for one of the two modes, is required to comply with the condition that all the requisite four stages are completed within the time stipulated".

In view of the law laid down by the Full Bench in *Rajendra Patel* (supra), this Court finds no ground to interfere in the matter. The writ petition lacks merit and is, accordingly, ***dismissed***.

(Karunesh Singh Pawar,J.)

June 12, 2026

R.C.