



2026:AHC:28040

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 5 of 2026

Md Sameer Rao

.....Petitioner(s)

Versus

State Of Uttar Pradesh, And 2 Other

.....Respondent(s)

Counsel for Petitioner(s)	:	Md Sameer Rao
Counsel for Respondent(s)	:	C.S.C.

Court No. - 33

HON'BLE VIKAS BUDHWAR, J.

1. Heard Sri Md Sameer Rao, petitioner In-person and Sri Brijesh Kumar Srivastava, learned Standing Counsel, who appears for the State.
2. Sri B.K. Srivastava has made a statement at Bar that he is well equipped with the instructions and is in a position to argue the matter.
3. With the consent of the parties, the writ petition is being decided at the fresh stage.
4. The writ petitioner herein had approached this Court while filing Writ-C No.3671 of 2022, 14043/23, *Md Sameer Rao; Shyam Kumar Harijan vs. State of U.P. and others*, to challenge the order dated 24.12.2020 passed by Regional Secretary, Madhyamik Shiksha Parishad, Regional Office, Bareilly denying the request of the writ petitioner to change his name from Shahnawaz to Md Sameer Rao. The said writ petition came to be allowed on 25.05.2023.
5. Questioning the same, the State of U.P. preferred an intra-court appeal being **Special Appeal No.459 of 2023, *State of U.P. vs. Md Sameer Rao***, which came to be allowed on 13.02.2025.
6. Challenging the judgment passed by Appellate Bench, the writ petitioner in person preferred **Special Leave to Appeal (C) No.8382 of 2025, *Md Sameer Rao vs. State of U.P.***, which came to be decided on 13.10.2025, order whereof is quoted hereinunder:-

"ORDER

1. *This petition arises circumstances. out of peculiar facts and as The petitioner's name is recorded 'Shahnawaz in High School and Intermediate Examination Certificates issued by the Madhyamik Shiksha Parishad in 2013 and 2015.*

2. *In the year 2020, the petitioner changed his name to 'Md. Sameer Rao' by making a publication in the official Gazette. Consequently, he made an application for change of name in his High School and Intermediate Examination Certificates. The same was rejected by the Madhyamik Aggrieved thereby, the petitioner filed Shiksha Parishad. a writ petition before the High Court.*

3. *The learned Single Judge of the High Court vide order dated 25.05.2023, allowed the writ petition. An intra-Court appeal was preferred by the respondents, which was allowed. Being aggrieved thereby, the present petition is filed.*

4. *It is not in dispute that the learned Single Judge vide order dated 25.05.2023 had allowed two writ petitions, however, the respondents chose to challenge only the judgment and order passed in the petitioner's case.*

5. *An explanation is given that the order pertaining to the other petitioner was not challenged since in his name there was a correction regarding inclusion of the word 'Harijan'.*

6. *Be that as it may, we find that the facts in the present petitioner's case so also in the case of the other petitioner, whose petition was rejected, are almost similar.*

7. *In that view of the matter, in the peculiar facts and circumstances, without this being treated as a precedent, we are inclined to allow change in the name of the petitioner.*

8. *We reiterate that this order shall not be treated as a precedent in any other matter.*

9. *The prayer of the petitioner is allowed. His name is directed to be changed as requested within a period of four weeks from today.*

10. *The Special Leave Petition stands disposed of in the above terms, along with pending application(s), if any.*

11. *We place on record our appreciation for Ms. Rekha Palli, learned Senior Counsel appearing as an Amicus Curiae and Mr. Shrirang B. Varma, learned AOR assisting*

her."

7. Post passing of the order passed by the Hon'ble Apex Court, the name of the writ petitioner stood changed as Md Sameer Rao in High School Certificate, Intermediate Certificate as well as B.Tech certificate. The writ petitioner in person had preferred the writ petition for direction of mandamus directing the respondents herein to update the petitioner's name in application form, admit card, recruitment records. This Court entertained the writ petition on 14.01.2026 while passing the following order:-

*"1. Sri Jitendra Prasad, learned Standing Counsel to seek instructions in the matter.
2. Put up this case on day after tomorrow i.e. 16.01.2026, as fresh."*

8. On 16.01.2026, the following orders were passed:-

*"1. Contention of the petitioner-In person is that the writ petitioner had earlier approached the Board of High School and Intermediate for changing his name from 'Shahnawaz' to 'Mohammad Sameer Rao'.
2. The request was declined, then the writ petitioner preferred proceedings before this Court being Mohammad Sameer Rao vs. State of U.P., which came to be allowed against which an intra-Court appeal was preferred and the order of the learned Single Judge was set aside. The writ petitioner claims to have preferred Special Leave Petition before the Hon'ble Apex Court, which came to be decided on 13.10.2025 directing the respondents herein to change the name of the writ petitioner as Mohammad Sameer Rao. The writ petitioner had approached the respondents for correcting the name based upon the corrections made in the name in the High School and Intermediate Certificate. However, his request has not been acceded to.
3. Sri S.K. Pal, learned Addl. Chief Standing Counsel has though produced instructions, but he seeks time to obtain further instructions in light of the judgment and order of the Hon'ble Apex Court and alteration of the name in High School and Intermediate certificates.
4. Put up this case on 22.01.2026, as fresh."*

9. On 22.01.2026, this Court proceeded to pass the following orders:-

*"1. Learned standing counsel has filed the instructions today in the Court. The same is taken on record.
2. Learned standing counsel is directed to provide the copy of the instructions to the*

petitioner today.

2. Petitioner is directed to file the response to the instructions by the next date of listing.

3. List this matter on 30.1.2026, as fresh, before the appropriate Bench."

10. The writ petitioner in person has sought to argue that the request so made in the present petition is liable to be accepted and a mandamus is to be issued to the respondents, particularly when once in pursuance of the order of the Apex Court, name of the writ petitioner stood changed in High School, Intermediate and B.Tech Certificates, as Md Sameer Rao, then there remains no legal justification in not considering the request of the writ petitioner in U.P. S.I. application form. Contention is that there cannot be two identities of a single person in that regard.

11. Instructions have been forwarded to the Court on the previous occasion dated 13.01.2026 of the Addl. Secretary, U.P. Promotion and Recruitment Board, Lucknow as also instructions dated 20.01.2026. According to the instructions, the last date of submission of the application form was 11.09.2025 and in view of a specific clause, forbidding any change in the name that too beyond the cut off date dis-entitles the writ petitioner for any change in the name. The writ petitioner in person has contended that the order of the Hon'ble Apex Court was passed on 13.10.2025 post the cut off date being 11.09.2025. Thus the request is to be considered sympathetically.

12. At this juncture, Sri Brijesh Kumar Srivastava, learned Standing Counsel submits that normally it is the policy decision of the State and its instrumentality that they do not deviate from the time-line so set forth, but since the case of the writ petitioner is under exceptional category and in view of the intervening circumstances, which have existed, now the case of the writ petitioner would be considered as under exceptional category, but this Court may opine that the same should not be precedent for others.

13. Having heard the submissions so made across the Bar and the stand taken by the respective parties, bearing in mind the fact that by virtue of the order of the Hon'ble Apex Court dated 13.10.2025 in the Special Leave Petition preferred by the writ petitioner in person, now his name stands changed as Md Sameer Rao in High School, Intermediate as well as B.Tech certificates, and since there cannot be two different names of a single person,

thus in exceptional categories in the intervening circumstances, a direction is issued to the Secretary, Uttar Pradesh Police Recruitment and Promotion Board to do the necessary corrections in the name of the writ petitioner while correcting it to be Md Sameer Rao in that regard.

14. For facilitating an early disposal, the writ petitioner shall approach the Secretary, Uttar Pradesh Police Recruitment and Promotion Board in the next week, i.e. 16.02.2026 and subject to fulfillment of the formalities the name of the writ petitioner in person shall be corrected as Md Sameer Rao. It is clarified that the order passed today would not be treated to be a binding precedent, as the cases, which would come before the authority shall be dealt on its own strength.

15. With the aforesaid observations, the writ petition stands **disposed of**.

16. Instructions filed today are taken on record and marked as Appendix 'A' and 'B' and shall be kept in file along with the order-sheet.

February 9, 2026

N.S.Rathour

(Vikas Budhwar,J.)