

**Court No. - 13**

**Case :-** WRIT - A No. - 12939 of 2024

**Petitioner :-** Arun Kumar Mishra

**Respondent :-** State Of U.P. Thru. Prin. Secy. U.P. Lucknow And 2 Others

**Counsel for Petitioner :-** Manish Vaish, Anupam Shukla

**Counsel for Respondent :-** C.S.C., Utsav Mishra

**Hon'ble Rajeev Singh, J.**

1. Heard learned counsel for the petitioner, Sri Aniruddh Singh, learned Standing Counsel and Sri Utsav Mishra, learned counsel for respondent No. 2 & 3.

2. Learned counsel for the petitioner has submitted that the petitioner had applied against the vacancy advertised by the respondent No.2 for the post of Junior Assistant. In the written examination, the petitioner was declared successful and thereafter, he participated in English and Hindi typing tests. At the time of English typing test, he was suffering from shivering fever and he immediately reported to the In-Charge Officer of the said test. Thereafter, he moved an application on 23 December 2024 for getting the benefit of order dated 12 December 2024 issued by Examination Controller, Uttar Pradesh Subordinate Services Selection Commission, Lucknow i.e. respondent No.3 with the request that he may be allowed to participate in the typing test which is scheduled to be held on 30 December 2024 but till date, no information has been provided to the petitioner by the respondent No.2 and 3 in this regard, therefore, kind indulgence of this Court is required.

3. Mr. Utkarsh Mishra, learned counsel appearing for the respondent No.2 & 3 has submitted that the petitioner has already participated in both the typing tests but the claim of the petitioner is that he was suffering with shivering cold at the time of taking English typing test and due to the said ailment, he could not do his test properly and in such circumstances, he may be allowed to participate in the test which is scheduled to be held on 30 December 2024. He further stated that for the purposes related to the medical ailment, as the case of the petitioner is entirely different which is not covered with the conditions of Circular dated 12 December 2024 but he does not dispute that the representation of the petitioner may be considered and decided within 24 hour and the decision thereof would be communicated to the petitioner through WhatsApp on his mobile number - 9919348063, immediately.

4. Considering the submissions of learned counsel for the parties, going through the contents of the writ petition as well other relevant documents, as vide Circular dated 12 December 2024, written information was issued by the respondent No.3 that in case any candidate is unable to participate in the typing test due to medical ailment, then his case will be considered for allowing him in test, which is scheduled to be held on 30 December 2024, as per the case of the petitioner on 21 December 2024, he appeared in the English typing test but could not do well due to shivering fever, therefore, this Court feels that the request of the petitioner shall be considered by the respondent No. 2 & 3 sympathetically in the light of the Circular dated 12 December 2024, say, within 24 hours from today and the decision thereof shall be communicated to the petitioner through WhatsApp on his mobile number - 9919348063, immediately.

5. With the aforesaid direction, the writ petition is **disposed of**.

**Order Date :- 27.12.2024**  
(Manoj K.)