

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

L.P.A. No. 749 of 2025

Subhash Kumar Das, S/o Shri Dilip Das, R/o Kanke Road, Tangra  
Toli, Hatma, P.O.-Ranchi University, P.S.-Gonda, District-Ranchi  
..... Appellant

Versus

1. The State of Jharkhand, through the Chief Secretary, Ranchi
2. The Chairman, Jharkhand Staff Selection Commission, Ranchi
3. The Secretary, Jharkhand Staff Selection Commission, Ranchi
4. The Examination Controller, Jharkhand Staff Selection  
Commission, Ranchi ..... Respondents

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**CORAM**

**HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE RAJESH SHANKAR**

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For the Appellant:	Dr. (Mrs.) Vandana Singh, Advocate Mr. Rajesh Kumar, Advocate Mr. Karamdeo, Advocate
For the Res.-JSSC:	Mr. Sanjoy Piprawall, Advocate Mr. Prince Kumar, Advocate Mr. Jay Prakash, Advocate Mr. Rakesh Ranjan, Advocate

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06/04.05.2026

1. Heard learned counsel for the parties.
2. This appeal is directed against the learned Single Judge's order dated 03.11.2025 dismissing the petitioner's/appellant's W.P. (S) No. 5930 of 2025 by which the petitioner was in fact, seeking condonation of delay for document verification in the context of Jharkhand Laboratory Assistant Competitive Examination, 2023 in terms of Advertisement No. 01/2023.
3. The petitioner belongs to the reserved category (SC), and there is no dispute that the petitioner was declared successful in the competitive examination. By notice dated 03.09.2024, he was called upon to attend on 13.09.2024 for document verification. The notice, in addition to being published on the Jharkhand Staff Selection Commission (JSSC) portal/website, was communicated

to the petitioner by e-mail. Even the petitioner has not disputed this position.

4. Further, the notice dated 03.09.2024 provides that if, for any reason, the petitioner is unable to attend on 13.09.2024, he would attend on 18.09.2024 between 11:00 AM and 4:00 PM for document verification.
5. Clause 3 of the notice dated 03.09.2024, in clear and categorical terms, provides that if the petitioner/appellant fails to remain present for document verification either on 13.09.2024 or on 18.09.2024, no further extension of time would be granted, and further, the candidature of the petitioner would be cancelled.
6. The petitioner's case is that, between 13.09.2024 and 17.09.2024, his sister was ill and was admitted to the hospital. Therefore, he could not attend the document verification scheduled on 13.09.2024 and on 18.09.2024. He, however, pleaded that he attended the document verification on the next day, i.e., on 19.09.2024.
7. Dr. (Mrs.) Vandana Singh, learned counsel for the appellant, submits that the case of the petitioner should be governed by the Hon'ble Supreme Court's decision rendered in the case of ***Shreya Kumari Tirkey vs. State of Jharkhand & Ors. [S.L.P. (Civil) No. 27139 of 2024 decided on 04.09.2025]***, wherein it has been held that the procedure should not be allowed to term the substantive rights of the parties. She also points out that the JSSC, in this case, had kept one seat reserved for SC candidates suo-moto. Therefore, no prejudice would be occasioned if an extension of a day was granted to the

petitioner for document verification. For these reasons, she submits that the appellant's writ petition should have been allowed and relief as prayed for in the same granted.

8. Mr. Sanjoy Piprawall, learned counsel for the respondent-JSSC, submits that the JSSC has gone by the terms of the advertisement and the notices issued to all the candidates. He submits that there was no provision for relaxation, and that more than sufficient opportunities had already been granted to all the candidates, including the petitioner. He submits that the notice/advertisement clearly provides the consequences of not attending the document verification. He submits that ***Shreya Kumari Tirkey's*** case (supra) is distinguishable because no consequences for not attending the medical examination were specified in the advertisement or in the notice, and further, there was no matter concerning the crucial aspects of document verification.
9. Mr Sanjoy Piprawall further submits that if any relaxation is granted to the petitioner based on the alleged individual hardships projected, there are several other candidates belonging to the reserved category, who have, in fact, secured higher merit positions than the petitioner, but were not considered for their failure to attend the document verification.
10. Mr Sanjoy Piprawall submits that the case of the petitioner is covered by the decision of a coordinate Bench rendered in the case of ***Nirmal Pahan and Ors. vs. the State of Jharkhand & Ors. [L.P.A. No. 143 of 2024 & other analogous cases]*** and the decisions of ***Bedanga Talukdar vs. Saifudaullah***

***Khan and Others*** reported in ***(2011) 12 SCC 85; State of Uttar Pradesh & Others vs. Pankaj Kumar*** reported in ***(2022) 1 SCC 335*** and ***Jharkhand Staff Selection Commission & Others vs. Ashok Kumar Ram & Others [L.P.A. No. 601 of 2018 decided on 13.11.2019]***.

11. For all the above reasons, Mr Sanjoy Piprawall submits that this appeal may be dismissed.
12. The rival contentions now fall for our determination.
13. As noted earlier, in this case, there can be no dispute that the appellant, vide notice dated 03.09.2024, was called upon to attend the document verification on 13.09.2024 between 11:00 AM and 1:30 PM, and between 2.30 p.m. and 5.00 p.m. This notice gave the petitioner an additional opportunity to attend on 18.09.2024, between 11:00 AM and 4:00 PM, if the petitioner was unable to attend on 13.09.2024.
14. The notice dated 03.09.2024 was published on the website/portal, which was accepted as the valid mode of communication. In addition, the counter-affidavit filed by the JSSC states that this notice was sent by email on 10.09.2024 to the petitioner. Even this position has not been disputed by the petitioner or his learned counsel.
15. Despite two opportunities, there is no dispute that the petitioner failed to attend the document verification either on 13.09.2024 or on the extended date, i.e., 18.09.2024.
16. Clause-3 of the notice dated 03.09.2024, in clear terms, provides that if any candidate fails to attend the document verification on the appointed dates, no further extension would be granted and

his/her candidature would stand cancelled. Thus, apart from providing two opportunities, the notice dated 03.09.2024 clearly provides the consequences for failure to attend the document verification.

17. In the case of ***Nirmal Pahan*** (supra), a coordinate Bench, in a very similar circumstance, held that, in such matters, there was no scope to consider individual hardships that the candidates might project. The Court reasoned that any such consideration would introduce an element of uncertainty, thereby undermining the integrity of the selection process.
18. In the case of ***Jharkhand Staff Selection Commission*** (supra), another coordinate Bench noted that if exceptions were made on an individual basis, the sanctity of the recruitment process would be vitiated, as there would be no end to the extension of time, whether it be a few hours, a few days, or even a few months. Co-ordinate Bench has held that in such a case, the Single Judge ought not to have taken upon itself the task of condoning the delay in adherence to the time schedule provided by the Commission.
19. In both decisions, reference was made to several precedents of the Hon'ble Supreme Court on the subject. In similar facts, the observations of the Hon'ble Supreme Court are applicable in the cases of ***Bedanga Talukdar*** (supra) and ***State of Uttar Pradesh*** (supra).
20. At this stage, we do not propose to go into the issue of whether the reasons cited by the petitioner warrant acceptance. However, even if we assume that the reasons cited were

genuine, we still fail to understand why, after the discharge of his sister, the petitioner, who has not claimed any ignorance of the notice dated 03.09.2024, could not attend the document verification on 18.09.2024.

21. In any event, in the absence of any clear power to relax and the presence of a clause setting out in clear terms the consequences of not attending, we agree with Mr Sanjoy Piprawall's submission that the petitioner's case is covered by the decisions relied upon by him, rather than the decision of the Hon'ble Supreme Court rendered in the case of ***Shreya Kumari Tirkey*** (supra).
22. In the case of ***Shreya Kumari Tirkey*** (supra), the Hon'ble Supreme Court was concerned not with the issue of verification of documents, but with the issue of attending the medical examination. In paragraph No. 9, the Hon'ble Supreme Court emphasized that the advertisement had not mentioned the consequences for non-appearance, intentional or otherwise, in the medical examination. In paragraph No. 10, the Hon'ble Supreme Court noted that the press advertisement was itself not quite clear because it mentioned that the medical examination of the candidates, who had participated in the interview, was "*fixed for the next day*".
23. The Hon'ble Supreme Court noted that since the very beginning, the case of the appellant was that she was under the impression that "next day" meant the day following the last day on which the interview was scheduled i.e., 17.05.2022, she could not appear on the next day of her interview and after she appeared, she was informed that the medical examination process stood

concluded on the previous day. The Hon'ble Supreme Court noted that the wording of the advertisement would give rise to a genuine doubt as to what day the candidate was expected to appear in the medical examination. Accordingly, the benefit of such ambiguity was extended to the candidate.

24. None of the above facts even remotely arises in the present matter. Here, there is no dispute about the petitioner having knowledge about the notice dated 03.09.2024. This notice, in clear and unambiguous terms, had called the petitioner to attend the document verification on 13.09.2024. Further, the notice provides that if, for any reason, the petitioner fails to attend on 13.09.2024, he may avail another chance on 18.09.2024. Even the consequences of not attending the document verification were specified in the notice. There was not the slightest element of ambiguity; none was pleaded or even argued. Therefore, based upon the case of ***Shreya Kumari Tirkey*** (supra), the petitioner cannot claim any relief in this appeal.
25. The circumstance that one seat was kept vacant by the JSSC does not entitle the petitioner/appellant to claim any relief as a matter of right in this appeal. Besides, as it was pointed out in the counter affidavit of the JSSC, if such a relaxation is granted, by the same logic, relaxation would be demanded by other reserved category candidates, who had better merit position than the petitioner, but could fail to attend the document verification and therefore their candidatures were cancelled.
26. Moreover, in the precedents of the Hon'ble Supreme Court relied upon by Mr. Sanjoy Piprawall, including the decision rendered in

the case of ***State of Tamil Nadu & Ors. vs. G. Hemalathaa & Anr.*** reported in ***(2020) 19 SCC 430***, it has been held that the instructions issued by the Commission are mandatory, having force of law and need to be strictly complied with. In these matters, the Hon'ble Supreme Court did not approve the approach of the High Courts in relaxing/modifying the instructions by exercising powers under Article 226 of the Constitution. The Hon'ble Supreme Court referred to the well-known adage that hard cases make bad law, acknowledged and held that the grant of relaxation based on individual hardships would disturb the sanctity and integrity of the selection process, introducing undue uncertainties.

27. For all the above reasons, we are satisfied that no case is made out to warrant any interference with the view taken by the learned Single Judge in the impugned order.
28. The present appeal is accordingly dismissed without any order for costs.

**(M. S. SONAK, C.J.)**

**(RAJESH SHANKAR, J.)**

04.05.2026  
Satish/Vikas/