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2026:CGHC:44143

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

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WPS No. 7159 of 2026

Samiksha Chauhan D/o Late Shir Ashok Chauhan Aged About 27
Years R/o Lalitpur Chowk Behind Geeta Bhawan Gwalior District
Gwalior M P.

... Petitioner(s)

versus

1 - State Of Chhattisgarh Through Principal Secretary Law And
Legislative Affairs, Government Of Chhattisgarh Mahanadi Bhwan
Atal Nagar Naya Raipur District Raipur Chhattisgarh. 492001.

2 - C.G. Public Service Commission Through Its Secretary North
Block Sector 19, Nava Raipur Atal Nagar Raipur District Raipur
Chhattisgarh 492001.

... Respondent(s)

(Cause title taken from CIS)

For Petitioner(s) : Shri Munish Kumar Tyagi, along with
Shri A.K. Samantray, Advocate

For Respondent(s) : Shri Y.S. Thakur, Addl. Advocate General
For Respondent No. 2 : Dr. Sudeep Agrawal, Advocate

Hon'ble Shri Bibhu Datta Guru, Judge

Order on Board

13.10.2026

1. The petitioner has sought for following reliefs:-

"10.1 That, this Hon'ble Court may kindly be pleased to Issue an appropriate writ, order or direction, including a writ of mandamus, directing the Respondents to preserve and place on record the Petitioner's original answer script and all relevant evaluation records pertaining exclusively to the English-to-Hindi translation answer carrying 10 marks.

10. 2 That this Hon'ble Court may kindly be pleased to Direct an independent, fair and impartial assessment of the Petitioner's English-to-Hindi translation answer by a competent expert/expert panel, preferably independent of the original evaluator, in accordance with the notified examination scheme and applicable evaluation parameters.

10.3 That this Hon'ble Court may kindly be pleased, if the Petitioner falls within the zone of selection, to

direct the Respondents to consider and process her candidature for appointment to the post of Civil Judge (Junior Division) in accordance with the applicable rules, subject to such conditions as this Hon'ble Court may deem appropriate;

10.4 Pass any other order or direction which this Hon'ble Court may deem just, fit and proper in the facts and circumstances of the case."

2. The petitioner has filed the present writ petition seeking a direction to the respondent authorities for independent reassessment of her answer to Question No. 3(ii), relating to English-to-Hindi translation carrying 10 marks in the Main Written Examination conducted pursuant to Advertisement No. 04/2024/Exam dated 23.12.2024 for recruitment to the post of Civil Judge (Junior Division). Learned counsel for the petitioner further submits that the petitioner was awarded only 0.5 marks out of 10 in the aforesaid translation exercise, which is allegedly disproportionate to the answer actually written. It is contended that the disputed evaluation materially affected the petitioner's aggregate merit and resulted in her exclusion from the final select list dated

04.05.2026. Accordingly, a direction for independent reassessment and consequential consideration of her candidature has been sought.

3. Learned counsel appearing for respondents No. 2 on the other hand, submits that, in terms of Clause 15 of the advertisement, there is no provision for revaluation or recounting of answer sheets. Clause 15 specifically provides as under:

"15. परीक्षा के संबंध में :-

(I) XXX

(II) आयोग द्वारा आयोजित परीक्षा प्रणाली में पुनर्गणना अथवा

पुनर्मूल्यांकन का प्रावधान नहीं है। अतः इस संबंध में किसी

प्रकार के अभ्यावेदन पर विचार नहीं किया जाएगा।"

XXX XXX XXX

4. Learned counsel appearing for Respondent No. 2 has placed reliance upon the decision rendered by this Court in **Apeksha Sakshi Peter v. State of Chhattisgarh, W.P.S. No. 5947 of 2026, decided on 10.08.2026**, and submitted that, in view of the express prohibition against revaluation under the

applicable advertisement, no direction for reassessment of the answer script can be issued.

5. Heard learned counsel for the parties and perused the material available on record.
6. The principal grievance of the petitioner is confined to the award of marks in the English-to-Hindi translation exercise. The issue raised herein is substantially covered by the decision relied upon by Respondent No. 2. In **Apeksha Sakshi Peter** (supra), this Court, while considering an identical grievance arising out of the Civil Judge (Junior Grade) Examination, 2024, examined Clause 15(II) of the relevant advertisement, which expressly excludes recounting and revaluation of answer scripts.
7. In the present case also, the applicable advertisement contains an express prohibition against revaluation of answer scripts. Consequently, the petitioner, having participated in the selection process governed by the aforesaid conditions, cannot seek a direction for reassessment contrary to the prescribed examination scheme, particularly in the absence of any established illegality warranting judicial interference.

8. The aforesaid view is consistent with the law laid down by the Hon'ble Supreme Court in ***Himachal Pradesh Public Service Commission v. Mukesh Thakur and Another, (2010) 6 SCC 759***, wherein it has been held that, in the absence of a provision under the applicable rules permitting revaluation, the Court should not ordinarily direct reassessment of answer scripts in exercise of its jurisdiction under Article 226 of the Constitution of India. The decision in ***Ku. Preeti Rani Chauhan v. High Court of Chhattisgarh & Others, W.P.S. No. 523 of 2009, decided on 20.10.2023, as affirmed in Writ Appeal No. 85 of 2024***, also forms part of the legal authorities referred to in this context.

9. The Supreme Court in the matter of ***Ran Vijay Singh & Others v. State of Uttar Pradesh & Others (2018) 2 SCC 357*** categorically held that if a statute, Rule or Regulation permits re-evaluation of an answer sheet or scrutiny of an answer sheet as a matter of right, then it must be permitted. If not, court may also permit it only if it is demonstrated very clearly, without any inferential process of reasoning or by a process of rationalisation and only in rare or exceptional cases that a material error has been committed. It is further observed that onus is on candidate to demonstrate such clear and material

incorrectness of answer key Court should be extremely reluctant to substitute its own views against views of experts. It is further observed that the Court should never take upon itself task to re-evaluate the answer sheets.

10. Very recently, the Supreme Court in the matter of ***U.P. Public Service Commission through its Chairman and Another vs. Sunil Kumar Singh & Others (Civil Appeal No. 4970/2017 decided on 05.08.2026)*** has reiterated the aforesaid view.
11. In the present case, the award of 0.5 marks out of 10, by itself, does not establish any illegality or procedural irregularity in the evaluation process. The allegations of deliberate under-marking and favouritism have not been supported by cogent material demonstrating mala fides, discrimination or violation of the prescribed evaluation procedure. This Court cannot substitute its own assessment for that of the examiner merely because the petitioner considers the marks awarded to be inadequate.
12. In view of the aforesaid legal position and the decision rendered in **Apeksha Sakshi Peter** (supra), this Court finds no ground to direct independent reassessment of the petitioner's

answer script or to grant consequential relief concerning her candidature.

13. Accordingly, the writ petition, being devoid of merit, is dismissed.

Sd/-

(Bibhu Datta Guru)

JUDGE

Shoaib