



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

WRIT PETITION NO. 3449 OF 2026 (S-RES)

C/W

WRIT PETITION NO. 2036 OF 2026 (S-RES)

IN WP No. 3449/2026

BETWEEN:

SRI. MITHUNKUMAR,
S/O BALIRAM,
AGED ABOUT 34 YEARS,
R/AT NO.45, MUDDENAHALLI,
SINGANAYAKANAHALLI, SHOOTING
HOUSE ROAD, DODDABALLAPUR ROAD,
BENGALURU-560064.

...PETITIONER

(BY SRI. BASAVARAJA PATEL G K, ADVOCATE)

AND:

1. THE DIRECTOR (HR),
KARNATAKA POWER CORPORATION LIMITED,
NO. 82, SHAKTI BHAVAN,
RACE COURSE ROAD,
BENGALURU-560001.
2. THE EXECUTIVE DIRECTOR,
KARNATAKA EXAMINATION AUTHORITY,

Digitally
signed by
PADMAVATHI
B K

Location: High
Court of
Karnataka



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

18TH CROSS, SAMPIGE ROAD,
MALLESHWARAM, BENGALURU-560012.

...RESPONDENTS

(BY SRI. AJAY J NANDALIKE, ADVOCATE FOR R-1;
SRI. N.K. RAMESH, ADVOCATE FOR R-2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE 2ND RESPONDENT TO AWARD ONE MARK RELATING TO QUESTION NO.59 OF THE QUESTION PAPER-B3 VERSION CODE BY CONSIDERING THE ANSWER GIVEN AS '3' INSTEAD OF CORRECT ANSWER AS '2' OF THE PETITIONER BY CONSIDERING THE OBJECTION DATED 29.12.2025 AND SUPPORTING DOCUMENTS VIDE ANNEXURE-H, J AND K AND CONSEQUENTLY RE-FIX PROPER RANKING OF THE PETITIONER.

IN WP NO. 2036/2026

BETWEEN:

SRI. ANIL BADAGI,
S/O MARITI BADAGI,
AGED ABOUT 33 YEARS,
R/A NO.47, MARUTHI COLONY,
ATTIGUPPE, VAJAYANAGARA,
BENGALURU-570040.

...PETITIONER

(BY SRI. BASAVARAJA PATEL G K, ADVOCATE)

AND:

1. THE DIRECTOR (HR),
KARNATAKA POWER CORPORATION LIMITED,
NO.82, SHAKTI BHAVAN,
RACE COURSE ROAD, BENGALURU-560001.



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

2. THE EXECUTIVE DIRECTOR,
KARNATAKA EXAMINATION AUTHORITY,
18TH CROSS, SAMPIGE ROAD,
MALLESHWARAM, BENGALRU-560012.

...RESPONDENTS

(BY SRI. AJAY J NANDALIKE, ADVOCATE FOR R-1;

SRI. N.K RAMESH, ADVOCATE FOR R-2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE 2ND RESPONDENT TO CONSIDER THE OBJECTION DATED 30.12.2025 ALONG WITH SUPPORTING DOCUMENTS VIDE ANNEXURES-H & J, FILED BY THE PETITIONER BY CONSIDERING THE CORRECT ANSWER AS '2' INSTEAD OF ANSWER GIVEN AS '3' AND AWAD ONE MARK RELATING TO QUESTION NO.59 OF VERSION CODE-B3 IN CIVIL SUBJECT VIDE ANNEXURE-F, AND CONSEQUENTLY REVISED THE RANKING OF THE PETITIONER IN THE FINAL RESULT LIST VIDE ANNEXURE-L DATED 07.01.2026 WITHOUT FURTHER LOSS OF TIME.

THESE PETITIONS, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

ORAL ORDER

Both these petitions, though by different petitioners who are participants in a selection process for the posts of Assistant Engineer are before the Court seeking an identical prayer of



NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

CNR: KAHC010070522026

award of grace marks for a particular question to key answer which according to the petitioners is valued erroneously.

2. Heard in both the petitions Sri.Basavaraja Patel G.K, learned counsel appearing for the petitioners', Sri.Ajay J. Nandalike, learned counsel appearing for respondent No.1 and Sri.N.K. Ramesh, learned counsel appearing for respondent No.2.

3. Facts, in brief, germane are as follows: -

3.1. The 1st respondent/Karnataka Power Corporation Limited (hereinafter referred to as 'the Corporation' for short) issues a recruitment notification on 03-08-2017 calling for applications from eligible candidates for the posts of Assistant Engineer in the Corporation. The 2nd respondent/Karnataka Examination Authority (hereinafter referred to as 'the Authority' for short) conducted a written examination on 18-02-2024. This comes to be set aside by the Apex Court in S.L.P.No.32255 of 2025 with a direction to the Authority to conduct re-examination. Pursuant thereto, re-examination notification was issued on 19-11-2025 for various posts including the posts of



CNR: KAHC010070522026

**NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026**

Assistant Engineer, BG-AE (Civil) and BV-AE (Civil). On 28.12.2025 the Authority published provisional key answers in the website of the Authority and invited objections from the candidates with supporting documents online to be filed on or before 30.12.2025. The petitioners in both these cases claim to have cross-checked the provisional key answers with B3 version code and OMR answer sheet. The petitioners marked the provisional key answer for question No. 59 of B3 series as '3'. The objections come to be rejected without making any correction relating to question No.59 of B3 series by which the petitioners' names are found at Sl. Nos. 8 and 55, securing 64.006 and 59.676 marks respectively; which did not give them the benefit of getting selected in the select list. This is called in question by the petitioners in the subject petitions.

4. The learned counsel appearing for the petitioners would vehemently contend that the error committed by the examiners *qua* question No.59 which ought to have been the option '3', have awarded marks for option '2'. The error is palpable and demonstrable. Therefore, the petitioners are entitled to the benefit of award of grace marks to question



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

No.59. The learned counsel would take this Court through the documents appended to the petitions seeking to demonstrate the error which is apparent on the face of the record.

5. *Per contra*, learned counsel Sri. Ajay J.Nandalike appearing for the Corporation in both these cases would vehemently refute the submissions by taking this Court through the statement of objections so filed by the Corporation. The learned counsel submits that an expert committee was constituted to give due consideration to all the objections received from the candidates and after following due process, a revised key answer was notified on 05.01.2026 incorporating the changes wherever the committee found them to be an error. Insofar as objections of the present petitioners are concerned, they were found to be untenable as more than one academically plausible answer to a question can suggest, the examining authority is entitled to choose and stand by the answer it deems appropriate and it is not for an individual to insist to what answer he prefers and the said interpretation must prevail. The learned counsel submits that the Court exercising jurisdiction under Article 226 of the Constitution



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

cannot sit over the opinion of experts. The learned counsel would emphasize on the fact that petitioners rely on one text book alone while other text books which are looked into by the expert committee would interpret otherwise. Therefore, he would submit that petitions be dismissed. He would seek to place reliance upon several judgments of the Apex Court on the issue which would bear consideration in the course of the order *qua* their relevance.

6. I have given my anxious consideration to the submissions made by the respective learned counsel and have perused the material on record.

7. The afore-narrated facts are not in dispute as they are a matter of record. Both these petitions only seek a direction by issuance of a writ in the nature of mandamus for grant of grace marks. Question No.59 which has become the bone of contention is as follows:

"59. The line of collimation is ideally_____

- (1) Parallel to the vertical axis
- (2) Perpendicular to the horizontal axis



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

- (3) Parallel to the horizontal axis when the telescope is levelled
- (4) Coincident with the trunnion axis."

The key answer, according to the examiner is option '2' while the petitioners contend that it is option '3'. To this, the petitioners seek to place reliance upon a text book, relevant portion of which is appended to the petitions. What is the line of collimation is explained by several text books, one of which is different. The expert committee which went into the objections of every person chooses the second option as appropriate in the light of the majority of books and declines to accept the plea of the petitioners. The issue now would be in such a circumstance whether this Court can interfere in its jurisdiction under Article 226 of the Constitution of India and undo the select list by directing award of grace marks as sought by the petitioners.

8. Jurisprudence is replete with the judgments of the Apex Court as to when interference with key answer could be made at the hands of the High Court under Article 226. The



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

Apex Court in **HIMACHAL PRADESH PUBLIC SERVICE**

COMMISSION v. MUKESH THAKUR¹ has held as follows:

" "

16. It is a settled legal proposition that the court cannot take upon itself the task of the statutory authorities.

17 In *Hindustan Shipyard Ltd. v. Dr. P. Sambasiva Rao* [(1996) 7 SCC 499: 1996 SCC (L&S) 619: (1996) 33 ATC 309] this Court held that in a case where the relief of regularisation is sought by the employees working for a long time on ad hoc basis, it is not desirable for the Court to issue direction for regularisation straightaway. The proper relief in such cases is the issuance of direction to the authority concerned to constitute a Selection Committee to consider the matter of regularisation of the ad hoc employees as per the Rules for regular appointment for the reason that the regularisation is not automatic, it depends on availability of number of vacancies, suitability and eligibility of the ad hoc appointee and particularly as to whether the ad hoc appointee had the eligibility for appointment on the date of initial appointment as ad hoc and while considering the case of regularisation, the Rules have to be strictly adhered to as dispensing with the Rules is totally impermissible in law. In certain cases, even the consultation with the Public Service Commission may be required, therefore, such a direction cannot be issued.

18. In *Govt. of Orissa v. Hanichal Roy* [(1998) 6 SCC 626: 1998 SCC (L&S) 1622] this Court considered the case wherein the High Court had granted relaxation of service conditions. This Court held that the High Court could not take upon itself the task of the statutory authority. The only order which the High Court could have passed was to direct the Government to consider his case for relaxation forming an opinion in view of the statutory provisions as to whether the relaxation was required in

¹ (2010) 6 SCC 759



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

the facts and circumstances of the case. Issuing such a direction by the Court was illegal and impermissible. Similar view has been reiterated by this Court in *LIC v. Asha RamchhandraAmbekar* [(1994) 2 SCC 718: 1994 SCC (L&S) 737: (1994) 27 ATC 174: AIR 1994 SC 2148] and *A. Umarani v. Coop. Societies* [(2004) 7 SCC 112: 2004 SCC (L&S) 918].

19. In *G. Veerappa Pillai v. Raman and Raman Ltd.* [(1952) 1 SCC 334: AIR 1952 SC 192] the Constitution Bench of this Court while considering the case for grant of permits under the provisions of the Motor Vehicles Act, 1939, held that the High Court ought to have quashed the proceedings of the Transport Authority, but issuing the direction for grant of permits was clearly in excess of its powers and jurisdiction.

20. In view of the above, it was not permissible for the High Court to examine the question papers and answer sheets itself, particularly, when the Commission had assessed the inter se merit of the candidates. If there was a discrepancy in framing the question or evaluation of the answer, it could be for all the candidates appearing for the examination and not for Respondent 1 only. It is a matter of chance that the High Court was examining the answer sheets relating to Law. Had it been other subjects like Physics, Chemistry and Mathematics, we are unable to understand as to whether such a course could have been adopted by the High Court. Therefore, we are of the considered opinion that such a course was not permissible to the High Court."

In **RAN VIJAY SINGH v. STATE OF UTTAR PRADESH**² the Apex Court holds as follows:

""

² (2018) 2 SCC 357



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

17. It was submitted by the learned counsel for the appellants that the Uttar Pradesh Secondary Education Services Selection Board Act, 1982 and the Rules framed thereunder do not provide for any re-evaluation of the answer sheets and, therefore, the learned Single Judge ought not to have undertaken that exercise at all. Reference was made to the following passage from *Mukesh Thakur* [*H.P. Public Service Commission v. Mukesh Thakur*, (2010) 6 SCC 759: (2010) 2 SCC (L&S) 286: 3 SCEC 713] which considered several decisions on the subject and held: (SCC p. 765, para 20)

"20. In view of the above, it was not permissible for the High Court to examine the question papers and answer sheets itself, particularly, when the Commission had assessed the inter se merit of the candidates. If there was a discrepancy in framing the question or evaluation of the answer, it could be for all the candidates appearing for the examination and not for Respondent 1 only. It is a matter of chance that the High Court was examining the answer sheets relating to Law. Had it been other subjects like Physics, Chemistry and Mathematics, we are unable to understand as to whether such a course could have been adopted by the High Court. Therefore, we are of the considered opinion that such a course was not permissible to the High Court."

...

...

...

23. In appeal against the decision [*ParitoshBhupeshkumarSheth v. Maharashtra State Board of Secondary and Higher Secondary Education*, 1980 SCC OnLine Bom 148: AIR 1981 Bom 95] of the High Court, it was held by this Court in *ParitoshBhupeshkumar case* [*Maharashtra State Board of Secondary and Higher Secondary Education v. ParitoshBhupeshkumarSheth*, (1984) 4 SCC 27] that the principles of natural justice are not applicable in such cases. It was held that: (*ParitoshBhupeshkumar case* [*Maharashtra State Board of Secondary and Higher Secondary Education v. ParitoshBhupeshkumarSheth*, (1984) 4 SCC 27], SCC p. 38, para 12)



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

"12. ... The principles of natural justice cannot be extended beyond reasonable and rational limits and cannot be carried to such absurd lengths as to make it necessary that candidates who have taken a public examination should be allowed to participate in the process of evaluation of their performances or to verify the correctness of the evaluation made by the examiners by themselves conducting an inspection of the answer books and determining whether there has been a proper and fair valuation of the answers by the examiners."

...

...

...

32. It is rather unfortunate that despite several decisions of this Court, some of which have been discussed above, there is interference by the courts in the result of examinations. This places the examination authorities in an unenviable position where they are under scrutiny and not the candidates. Additionally, a massive and sometimes prolonged examination exercise concludes with an air of uncertainty. **While there is no doubt that candidates put in a tremendous effort in preparing for an examination, it must not be forgotten that even the examination authorities put in equally great efforts to successfully conduct an examination. The enormity of the task might reveal some lapse at a later stage, but the court must consider the internal checks and balances put in place by the examination authorities before interfering with the efforts put in by the candidates who have successfully participated in the examination and the examination authorities.** The present appeals are a classic example of the consequence of such interference where there is no finality to the result of the examinations even after a lapse of eight years. Apart from the examination authorities even the candidates are left wondering about the certainty or otherwise of the result of the examination — whether they have passed or not; whether their result will be approved or disapproved by the court; whether they will get admission in a college or university or not; and whether they will get recruited or not. This unsatisfactory situation does not work to anybody's advantage and such



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

a state of uncertainty results in confusion being worse confounded. The overall and larger impact of all this is that public interest suffers.”

In **UTTAR PRADESH PUBLIC SERVICE COMMISSION v.**

RAHUL SINGH³ the Apex Court holds as follows:

“
11. We may also refer to the following observations in paras 31 and 32 which show why the constitutional courts must exercise restraint in such matters: (*Ran Vijay Singh case* [*Ran Vijay Singh v. State of U.P.*, (2018) 2 SCC 357: (2018) 1 SCC (L&S) 297], SCC p. 369)

“31. On our part we may add that sympathy or compassion does not play any role in the matter of directing or not directing re-evaluation of an answer sheet. If an error is committed by the examination authority, the complete body of candidates suffers. The entire examination process does not deserve to be derailed only because some candidates are disappointed or dissatisfied or perceive some injustice having been caused to them by an erroneous question or an erroneous answer. All candidates suffer equally, though some might suffer more but that cannot be helped since mathematical precision is not always possible. This Court has shown one way out of an impasse — exclude the suspect or offending question.

32. It is rather unfortunate that despite several decisions of this Court, some of which have been discussed above, there is interference by the courts in the result of examinations. This places the examination authorities in an unenviable position where they are under scrutiny and not the candidates. Additionally, a massive and sometimes prolonged examination exercise concludes with an air of uncertainty.

³ (2018) 7 SCC 254



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

While there is no doubt that candidates put in a tremendous effort in preparing for an examination, it must not be forgotten that even the examination authorities put in equally great efforts to successfully conduct an examination. The enormity of the task might reveal some lapse at a later stage, but the court must consider the internal checks and balances put in place by the examination authorities before interfering with the efforts put in by the candidates who have successfully participated in the examination and the examination authorities. The present appeals are a classic example of the consequence of such interference where there is no finality to the result of the examinations even after a lapse of eight years. Apart from the examination authorities even the candidates are left wondering about the certainty or otherwise of the result of the examination—whether they have passed or not; whether their result will be approved or disapproved by the court; whether they will get admission in a college or university or not; and whether they will get recruited or not. This unsatisfactory situation does not work to anybody's advantage and such a state of uncertainty results in confusion being worse confounded. The overall and larger impact of all this is that public interest suffers."

... ..

14. In the present case, we find that all the three questions needed a long process of reasoning and the High Court itself has noticed that the stand of the Commission is also supported by certain textbooks. When there are conflicting views, then the court must bow down to the opinion of the experts. Judges are not and cannot be experts in all fields and, therefore, they must exercise great restraint and should not overstep their jurisdiction to upset the opinion of the experts.

15. In view of the above discussion, we are clearly of the view that the High Court overstepped its jurisdiction by giving the directions which amounted to setting aside the decision of experts in the field. As far as the objection of the appellant Rahul Singh is concerned, after going through the



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

question on which he raised an objection, we ourselves are of the prima facie view that the answer given by the Commission is correct.”

The Apex Court in **VIKESH KUMAR GUPTA v. STATE OF RAJASTHAN**⁴ has held as follows:

“ ”

13. The point that arises for the consideration of this Court is whether the revised select list dated 21-5-2019 ought to have been prepared on the basis of the 2nd Answer Key. The appellants contend that the wait list also should be prepared on the basis of the 3rd Answer Key and not on the basis of the 2nd Answer Key. The 2nd Answer Key was released by RPSC on the basis of the recommendations made by the expert committee constituted pursuant to the directions issued by the High Court. Not being satisfied with the revised select list which included only a few candidates, certain unsuccessful candidates filed appeals before the Division Bench which were disposed of on 12-3-2019 [*Bhunda Ram v. State of Rajasthan*, 2019 SCC OnLine Raj 7416]. When the Division Bench was informed that the selections have been finalised on the basis of the 2nd Answer Key, it refused to interfere with the select list prepared on 17-9-2018. However, the Division Bench examined the correctness of the questions and the answer keys pointed by the appellants therein and arrived at a conclusion that the answer key to 5 questions was erroneous. On the basis of the said findings, the Division Bench directed RPSC to prepare the revised select list and apply it only to the appellants before it.

14. Though re-evaluation can be directed if rules permit, this Court has deprecated the practice of re-evaluation and scrutiny of the questions by the courts which lack expertise in academic matters. It is not permissible for the High Court to examine the question

⁴ (2021) 2 SCC 309



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

papers and answer sheets itself, particularly when the Commission has assessed the inter se merit of the candidates (*H.P. Public Service Commission v. Mukesh Thakur* [*H.P. Public Service Commission v. Mukesh Thakur*, (2010) 6 SCC 759: (2010) 2 SCC (L&S) 286: 3 SCEC 713]). Courts have to show deference and consideration to the recommendation of the expert committee who have the expertise to evaluate and make recommendations (see *Basavaiah v. H.L. Ramesh* [*Basavaiah v. H.L. Ramesh*, (2010) 8 SCC 372: (2010) 2 SCC (L&S) 640]).

15. Examining the scope of judicial review with regards to re-evaluation of answer sheets, this Court in *Ran Vijay Singh v. State of U.P.* [*Ran Vijay Singh v. State of U.P.*, (2018) 2 SCC 357: (2018) 1 SCC (L&S) 297] held that the court should not re-evaluate or scrutinise the answer sheets of a candidate as it has no expertise in the matters and the academic matters are best left to academics. This Court in the said judgment further held as follows: (*Ran Vijay Singh case* [*Ran Vijay Singh v. State of U.P.*, (2018) 2 SCC 357: (2018) 1 SCC (L&S) 297], SCC pp. 369-70, paras 31-32)

"31. On our part we may add that sympathy or compassion does not play any role in the matter of directing or not directing re-evaluation of an answer sheet. If an error is committed by the examination authority, the complete body of candidates suffers. The entire examination process does not deserve to be derailed only because some candidates are disappointed or dissatisfied or perceive some injustice having been caused to them by an erroneous question or an erroneous answer. All candidates suffer equally, though some might suffer more but that cannot be helped since mathematical precision is not always possible. This Court has shown one way out of an impasse—exclude the suspect or offending question.

32. It is rather unfortunate that despite several decisions of this Court, some of which have been discussed above, there is interference by the courts in the result of examinations. This



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

places the examination authorities in an unenviable position where they are under scrutiny and not the candidates. Additionally, a massive and sometimes prolonged examination exercise concludes with an air of uncertainty. While there is no doubt that candidates put in a tremendous effort in preparing for an examination, it must not be forgotten that even the examination authorities put in equally great efforts to successfully conduct an examination. The enormity of the task might reveal some lapse at a later stage, but the court must consider the internal checks and balances put in place by the examination authorities before interfering with the efforts put in by the candidates who have successfully participated in the examination and the examination authorities. The present appeals are a classic example of the consequence of such interference where there is no finality to the result of the examinations even after a lapse of eight years. Apart from the examination authorities even the candidates are left wondering about the certainty or otherwise of the result of the examination—whether they have passed or not; whether their result will be approved or disapproved by the court; whether they will get admission in a college or university or not; and whether they will get recruited or not. This unsatisfactory situation does not work to anybody's advantage and such a state of uncertainty results in confusion being worse confounded. The overall and larger impact of all this is that public interest suffers.”

Again, the Apex Court in **UTTAR PRADESH SUBORDINATE SERVICE SELECTION COMMISSION v. ASHOK YADAV**⁵ has held as follows:

“

⁵ 2026 SCC OnLine SC 1893



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

19. Before we address the aforesaid issue, it would be useful to examine the scope of judicial review in adjudging the correctness of a key answer selected and published by the examining body holding a public examination.

20. In *Ran Vijay Singh v. State of U.P.*⁶ this Court after considering earlier decisions culled out legal principles delineating the scope of judicial review while examining a challenge to the correctness of the key answer(s) and seeking re-evaluation of the answer script. The relevant paragraphs of the said judgment are extracted below:

"30.2. If a statute, Rule or Regulation governing an examination does not permit re-evaluation or scrutiny of an answer sheet (as distinct from prohibiting it) then the court may permit re-evaluation or scrutiny only if it is demonstrated very clearly, without any "inferential process of reasoning or by a process of rationalization" and only in rare or exceptional cases that a material error has been committed;

30.3. The court should not at all re-evaluate or scrutinize the answer sheets of a candidate - it has no expertise in the matter and academic matters are best left to academics;

30.4. The court should presume the correctness of the key answers and proceed on that assumption; and

30.5. In the event of a doubt, the benefit should go to the examination authority rather than to the candidate."

(Emphasis supplied)

After holding as above, this Court added a note of caution for the courts while entertaining such matters and highlighted the adverse consequences of over interference with the examination results. Relevant observations in that regard are as under:



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

"31. On our part we may add that sympathy or compassion does not play any role in the matter of directing or not directing re-evaluation of an answer sheet. If an error is committed by the examination authority, the complete body of candidates suffers. The entire examination process does not deserve to be derailed only because some candidates are disappointed or dissatisfied or perceive some injustice having been caused to them by an erroneous question or an erroneous answer. All candidates suffer equally, though some might suffer more but that cannot be helped since mathematical precision is not always possible. This Court has shown one way out of an impasse-exclude the suspect or offending question.

32. It is rather unfortunate that despite several decisions of this Court, some of which have been discussed above, there is interference by the courts in the result of examinations. This places the examination authorities in an unenviable position where they are under scrutiny and not the candidates.

Additionally, a massive and sometimes prolonged examination exercise concludes with an air of uncertainty. While there is no doubt that candidates put in a tremendous effort in preparing for an examination, it must not be forgotten that even the examination authorities put in equally great efforts to successfully conduct an examination. The enormity of the task might reveal some lapse at a later stage, but the court must consider the internal checks and balances put in place by the examination authorities before interfering with the efforts put in by the candidates who have successfully participated in the examination and the examination authorities. The present appeals are a classic example of the consequence of such interference where there is no finality to the result of the examinations even after a lapse of eight years. Apart from the examination authorities even the candidates are left wondering about the certainty or otherwise of



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

the result of the examination - whether they have passed or not; whether the result will be approved or disapproved by the court; whether they will get admission in a college or university or not; and whether they will get recruited or not. This unsatisfactory situation does not work to anybody's advantage, and such a state of uncertainty results in confusion being worse confounded. The overall and larger impact of all this is that public interest suffers."

(Emphasis supplied)

21. Following the decision in *Ran Vijay Singh* (supra), in *U.P. Public Service Commission v. Rahul Singh* (supra), this Court held:

"12. The law is well settled that the onus is on the candidate to not only demonstrate that the key answer is incorrect but also that it is a glaring mistake which is totally apparent and no inferential process or reasoning is required to show that the key answer is wrong. The constitutional courts must exercise great restraint in such matters and should be reluctant to entertain a plea challenging the correctness of the key answers. ..."

22. The legal position that emerges from the aforesaid decision(s) is that a challenge to the correctness of answer key must be entertained only where the mistake is so glaring and apparent that no inferential process or reasoning is required to show that the mistake exists. Besides, while considering a challenge to the correctness of a question or an answer, the court must bear in mind that there is a presumption about the correctness of the question/answer, and the onus is on the candidate to demonstrate that it is incorrect. Further, in the event of a mere doubt about the correctness of the question or the answer, the benefit should go to the examining body and not to the candidate. However, where it is demonstrated that the question itself is incorrect, or there could be two correct answers to the question when only one is to be chosen from the options provided, the Court may interfere and order exclusion of the



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

suspect or offending question from evaluation. In a situation where the question is correct and is admissible to only one answer and that answer is amongst the options provided but is not the one chosen by the examining body, the Court may direct the examining body to award marks only for the correct answer and revise the result accordingly. While entertaining a petition in such matters, courts must be strict in condoning laches, if any, having regard to the ensuing consequences. Besides, the court may reject a challenge if the procedure prescribed to raise objection(s) to the question/answer, within a specified time frame, is not followed.

23. Having noticed the law on the point, we shall now consider whether the answer selected by the Commission to the concerned question suffered from a glaring mistake.

24. At this stage, it would be pertinent to note that the concerned question did not spell out the parameter/principle basis which the incorrect pair had to be selected from the available options. Absent any parameter/principle for pairing, a commonsense approach of pairing the book with the subject i.e., the person about whom the book was, is what has been adopted by the Commission in selecting the answer. Such an approach cannot by any stretch of imagination be considered arbitrary or irrational. Therefore, in the context of the question concerned, option 'B' is one answer which cannot be called patently erroneous.

25. The Expert Report relied upon by the High Court is not categorical in saying that Option 'C' is the only correct answer. What it says is that if one adopts the logic of authorship of the scripture, option 'C' would be the correct answer i.e., pairing based on authorship; and if logic adopted is subject-wise i.e., on whom the book is written, option 'B' would be the right answer. Thus, the Expert Report does not say that option 'B', chosen by the Commission, is an incorrect answer.



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

26. Admittedly, the question concerned is silent about the basis of pairing, therefore, a commonsense approach leads us to Option 'B', which is the answer chosen by the examining body.

27. The writ petitioner is facing problem because he applied inferential logic to read into the question 'authorship of the book' as the guiding principle to select an incorrect pair, when no such principle or parameter is decipherable from a plain reading of the question. Thus, the writ petitioner committed an assumptive mistake which cannot be attributed to the question or the examining body.

28. Writ petitioner's assumption that pairing is based on authorship is what has let him down. It is possible that if he had not known that Humayun is not the author of Humayunnama, he may not have opted for option 'C'. Therefore, one may feel that the writ petitioner is being punished for having knowledge about a historical fact. But that is not the ground to test the correctness of the question or the answer while exercising the power of judicial review. The test is whether the mistake is so glaring that no inferential process or reasoning is required to show that it is there. Here, authorship was not the basis on which pairing was asked for, therefore, commonsense approach could have resulted in the correct choice. The writ petitioner on his own assumed that pairing had to be on authorship. But for that the examining body cannot be blamed.

29. Misreading a question, or reading something into a question, often results in a wrong answer. Very often questions are framed to confuse a candidate so that only an alert mind picks up the requisite nuances of a question for rendering a proper answer. The examinee/candidate cannot say that the question ought to have been drafted like this or that. Therefore, while considering whether the question or answer is correct, the Court must only consider whether the question or answer as it stands is correct or not and not what it ought to have been. If the question and its answer, as they stand, do not suffer from a glaring mistake, the Court cannot



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

hold that it should be read and understood as something else than what it actually is only because, in the opinion of the Court, it would have made more sense.

30. From the discussion above, what is clear is that neither the question concerned is incorrect nor option 'B' chosen by the Commission is incorrect. In such circumstances, the question and its answer was not amenable to judicial review. The High Court clearly overstepped its jurisdiction in interfering with the same, that too, in the review jurisdiction.

31. The argument on behalf of the respondents that the concerned question fell in that Part of the Question Paper which related to General Knowledge, therefore only authorship could have formed the basis of pairing, is based on assumption. A question is to be understood as it stands and not what it ought to have been. We have already noticed above that judicial review of the correctness of a question or an answer is permissible only where the mistake is so glaring and apparent that one could notice the mistake without use of any inferential process or reasoning. Hence, we do not find force in the said submission.

32. Having regard to the discussion above, we are of the view that the Commission did not commit any such glaring or apparent mistake in picking up option 'B' as the correct answer for the concerned question. **The High Court, while acting on the Expert Report, overlooked that the Expert Report had only indicated a possible answer if the question had been perceived as one relating authorship of the Book. The said Expert Report did not fault the question. Rather, it pointed out that if matching had to be subject-wise i.e., as to whom the Book was about, option 'B' was the correct answer. Thus, the report does not in certain terms declare option 'B' as the incorrect answer. Moreover, authorship was not the underlying principle for finding out the incorrect pair. Thus, neither the question nor its answer is patently incorrect. In such circumstances, there was no occasion for the High Court to interfere with the decision of the Commission, that too, in the review jurisdiction."**



CNR: KAHC010070522026

NC: 2026:KHC:53301
WP No. 3449 of 2026
C/W WP No. 2036 of 2026

In the light of the law laid down by the Apex Court, the unmistakable inference is that the Court under Article 226 of the Constitution of India must be loath to interfere with a selection process, particularly when the challenge is to the key answer as the Court is not an expert to sit over the findings of the expert committee and reach to its own conclusion. The objections filed by the Corporation are overwhelming to the averments in the writ petitions as question No.59 *supra* is capable of more than one interpretation and has in fact been interpreted differently in different text books. Therefore, the expert committee's opinion cannot be now be tinkered with as an error.

9. For the aforesaid reasons, the petitions fail and are accordingly rejected.

Sd/-
(M.NAGAPRASANNA)
JUDGE