



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S.KINAGI

WRIT PETITION NO. 28799 OF 2024 (S-RES)

BETWEEN:

SMT SAMATA SAMBRANI
AGE 29 YEARS,
D/O. SRI KARVEER SAMBRANI,
W/O. SRI RAHUL DEVAMANE,
JAMBO NAGAR, JAMBU SAVARI DINNE,
BANGALURU-570076.

...PETITIONER

(BY SRI. MANU VENKATA REDDY, ADVOCATE FOR
SRI. VIJAYA SIMHA REDDY D V., ADVOCATE)

AND:

1. THE MANAGING DIRECTOR
KARNATAKA STATE FINANCIAL CORPORATION,
K.S.F.C. BHAVAN, NO. 1/1,
THIMMAIAH ROAD,
NEAR CANT. RAILWAY STATION,
BENGALURU-560052.
2. THE EXECUTIVE DIRECTOR,
KARNATAKA EXAMINATION AUTHORITY,
18TH CROSS, SAMPIGE ROAD,
MALLESHWARAM,
BENGALRU-560012

...RESPONDENTS

(BY SRI. N.K. RAMESH, ADVOCATE FOR R2
SRI. P.S. MALIPATIL, ADVOCATE FOR R1)

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signed by
KIRAN
KUMAR R
Location:
HIGH COURT
OF
KARNATAKA



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH ANSWER GIVEN AS A TO QUESTION NO.93 OF THE QUESTION PAPER, A2 SERIES OF THE PETITIONER INSTEAD OF CORRECT ANSWER AS C TO SAID QUESTION NO. 93 OF A2 SERIES ONLY IN THE IMPUGNED FINAL KEY ANSWERS DTD. 16.04.2024 FOR THE POST OF DEPUTY MANAGER (FINANCE AND ACCOUNTS) 2024 DMF VIDE ANNEX-J AND CONSEQUENTLY ISSUE A WRIT IN THE NATURE OF MANDAMUS DIRECTING THE R-2 TO AWARD ONE MARK RELATING TO QUESTION NO.93 OF THE QUESTION PAPER, A2 SERIES OF THE PETITIONER AND CONSEQUENTLY RE-FIX PROPER TOTAL MARKS AND TO EXTEND ALL CONSEQUENTIAL BENEFITS ARISING THERETO.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S.KINAGI

ORAL ORDER

The petitioner filed this writ petition seeking the following reliefs:

- "a) *Issue a writ of certiorari and quash Answer given as 'A' to Question No. 93 of the Question Paper, A2 Series of the Petitioner instead of correct Answer as 'C' to said Question No. 93 of A2 Series only in the impugned Final Key Answers dated 16.04.2024 for the post of Deputy Manager (Finance and Accounts)-2024DMF Vide Annexure-J and consequently issue a writ in the nature of mandamus directing the 2nd Respondent to award one Mark relating to Question No.93 of the Question*



Paper, A2 Series of the Petitioner and consequently re-fix proper Total Marks and to extend all consequential benefits arising thereto, and,

b) Pass such other orders or issue such other directions as this Hon'ble Court deems fit in the facts and circumstances of the case in the interest of justice and equity."

2. Brief facts leading rise to the filing of this petition are as follows:

2.1. Respondent No.1 issued a recruitment notification dated 14.06.2023 inviting the applications from the eligible candidates for recruitment to the post of Deputy Manager in various departments. The petitioner submitted an application to the post of Deputy Manager (Finance and Accounts). Respondent No.2 conducted the competitive written examination on 17.02.2024 for various posts including for the post of Deputy Manager (Finance and Accounts). The candidates were required to tick one of the four options to each answer. Each correct answer would earn the candidate one mark. On 22.03.2024,



respondent No.2 released a note and published the provisional key answers in website of Karnataka Examination Authority ('**KEA**' for short) and invited objections from the candidates with supporting documents through online on or before 29.02.2024. The petitioner has cross-checked the provisional key answers with question paper, A2 series and OMR answer sheet 2024DMF, A2 series. The petitioner marked option (c) for question No.93, but the wrong answer has been given in the provisional key answer for series A2 as option (a) in respect of the said question. The petitioner submitted her objection having ID No.3668 with the copies of materials downloaded from the website of the Karnataka Public Service Commission ('**KPSC**' for short) relating to the examination conducted by the KPSC for the post of Junior Assistant/Second Division Assistant held on 19.09.2021 with subject code 414 wherein same question was asked, as relevant supporting document through online. Respondent No.2, without considering the objection of the



petitioner, released the impugned final key answers on 16.04.2024. On the basis of final marks, respondent No.2 issued a list of candidates relating to the post of Deputy Manager (Finance and Accounts) under residual cadre dated 02.08.2024. The name of the petitioner was shown at Sl.No.21 on the basis of written test marks and qualification marks by giving weightage and adhering to reservation policy. Accordingly, the viva voce was conducted and list of candidates was published showing the total marks secured by the candidates for the post of Deputy Manager (Finance and Accounts). Respondent No.1 issued a tentative selection list on 13.09.2024 selecting the candidates including the petitioner for the said post. The respondent published one more list of candidates on 18.09.2024 showing the candidates who attended the viva voce and showed total marks secured by the candidates for the said post under residual cadre, wherein the name of the petitioner is found at Sl.No.20. On the same day, a corrigendum was issued and last date fixed for submitting



objections had been revised to 24.09.2024. The petitioner submitted an objection on 20.09.2024 through online requesting to rectify her marks relating to her educational qualification. Respondent No.2 has not considered the objections filed by the petitioner. The action of respondent No.2 rendered injustice to the petitioner. Hence, this petition.

3. Respondent No.2 filed a statement of objections denying the allegations made in the memorandum of writ petition. It is contended that, respondent No.2's task is limited to the extent of conducting the written test and send the marks list of the candidates who appeared in the written test. The applicants have not questioned the procedure adopted by respondent No.2 in conducting the written test. It is contended that, after conclusion of the examination, the provisional key answers were published in the website of respondent No.2 for information of the candidates and objections were invited by the candidates to the key answers, wherein they were required to



produce relevant materials justifying their claim. The objection and relevant materials produced by the candidates were again referred to the subject experts, who on consideration of objections, have given their opinion either to retain the earlier answer, or to grant grace marks, or to change the key answer, as the case may be. On the basis of the opinion of the experts in respect of some questions, the key answers were revised and the same were published and the OMR sheets of the candidates have been evaluated as per the final key answers. The petitioner has not produced any supporting proof or justifying material to show that her claim to change the key answer in question No.93 in A2 series. It is contended that, the provisional key answer is published in respect of the said question and final key answer published after consideration of objections along with the question paper of A2 version. The respondent has published the marks as awarded in respect of opinion of the experts and no fault could be attributed to respondent



No.2 in publishing the final key answers and preparing the marks list on the basis of the same. Hence, prays to dismiss the petition.

4. Heard the arguments of learned counsel for the petitioner, learned counsel for respondent No.1 and learned counsel for respondent No.2.

5. Learned counsel for the petitioner submits that, the petitioner has a required qualification and eligibility for the post of Deputy Manager (Finance and Accounts) in respondent No.1 and she claimed a reservation under schedule caste category. She wrote the competitive written test conducted for the said post and she correctly answered question No.93 by making option 'c' in her OMR answer sheet 2024DMF A2 series. In the provisional key answers relating to A2 series released by respondent No.2, the answer given for the said question is found wrong. The petitioner submitted objections with relevant documents including the copies relating to one examination conducted by KPSC relating to the same question, because the



petitioner is entitled to get one mark extra for the said question and consequently, the written exam marks would exceed by one more mark and the percentage in the range of 75% of written examination marks which would rise and which in turn, would rise the total marks scored by the petitioner. Hence, on these grounds, he prays to allow the writ petition.

6. *Per contra*, learned counsel for respondent No.1 submits that, the question paper was set up by the experts in the field and key answers were provided by experts from outside the Corporation and no motives could be attributed to such experts. He submits that, if the writ petition is allowed, it will have an impact on the entire recruitment process. To buttress his argument, he has placed reliance on the judgment of the Hon'ble Apex Court in the case of ***Kanpur University, through Vice-Chancellor and Others Vs. Samir Gupta and Others***¹.

¹ (1983) 4 SCC 309



Hence, on these grounds, he prays to dismiss the writ petition.

7. Perused the records and considered the submissions of the learned counsel for the parties.

8. It is an undisputed fact that, respondent No.1 has issued a recruitment notification inviting applications from the eligible candidates for the post of Deputy Manager (Finance and Accounts). The petitioner has applied for the said post and appeared for the written test. On the basis of the written test, the petitioner has qualified for the interview. The petitioner was selected under residual cadre with the final score of 50.75. The petitioner filed an objection with relevant documents to the provisional key answer to get one more mark in respect of question No.93 as per the OMR answer sheet 2024DMF since the answer given in the provisional key answers for A2 series is wrong. Respondent No.2 released the final key answers dated 16.04.2024 without making any correction relating to the said question No.93.



9. Admittedly, the question papers were set by the experts in the field. When the question papers are set, the key answers to the said questions are provided by the experts from outside the Corporation. Absolutely no motives could be attributed to such experts. The source of error is human. Even teacher may commit a mistake. Therefore, taking note of this hard fact of life in the scheme of examination, a provision is made for announcement of key answers on the website after the examination and a carbon copy of the answer script is provided to the students who have taken the examination to enable them to make self-assessment by comparing with key answers notified on the website. The fairness and transparency of the examination is beyond doubt. A further provision is made for challenging the correctness of the answers notified on the website by giving a time for correction of key answers only to safeguard the interest of the students.



10. The Hon'ble Apex Court in the case of **Samir Gupta** (supra) has held that, the key answer given by the examining body is presumed to be correct. Further, the Co-ordinate Bench of this Court in the case of **Mr Natesh Manjappa H and Another Vs. State of Karnataka and Others²** has held that, Karnataka Examination Authority had no authority to review the key answers and it is mentioned that the decision of the subject expert committee is final in finalising the answers provided by the experts in the field. This Court cannot sit as an Appellate Authority over the key answers provided by the experts.

11. Considering the proposition laid down by the Hon'ble Apex Court in the case of **Samir Gupta** (supra) and the order passed by this Court in the case of **Mr Natesh Manjappa H** (supra), the examining body has no authority to review the key answers. Respondent No.2 considered the objections submitted by the petitioner and

² WP No.2185/2023 and connected matters disposed of on 22.08.2023



published the final key answers. Hence, I do not find any grounds to entertain the writ petition.

12. In view of the above discussion, I proceed to pass the following:

ORDER

- i. The writ petition is ***dismissed***;
- ii. Pending IA(s), if any, shall stand disposed of.

**Sd/-
(ASHOK S.KINAGI)
JUDGE**

PA
List No.: 1 Sl No.: 8