

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

AND

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.17900 OF 2017

ORDER: (Oral) (*Per Hon'ble Sri Justice Suresh Kumar Kait*)

Vide the present petition, the petitioners have challenged the order dated 28.04.2017 passed in O.A. No.990 of 2017 with batch petitions on the file of the Andhra Pradesh Administrative Tribunal, Hyderabad (for short, 'the Tribunal'), whereby the O.A. filed by the petitioners and other petitions were dismissed.

2. The case of the petitioners is that the petitioners applied and participated in selection process in response to the Notification dated 18/2016, dated 08.11.2016 for Group-II Services Examination conducted by the Andhra Pradesh Public Service Commission-respondent No.1, vide Roll Number/Hall Ticket Nos.181117348 of petitioner No.1, 181405138 of petitioner No.2, 181301514 of petitioner No.3 and 180817986 of petitioner No.4. Respondent No.1 conducted the preliminary examination and the petitioners secured 84, 92, 106 and 87 marks, respectively, out of 147, whereas the qualifying cut-off marks of the Andhra Pradesh Public Service Commission (APPSC), as per the key published on 28.03.2017, is 74.49, the petitioners got qualified in the preliminary examination and they got entry to write the main examinations to be conducted by the APPSC on 15th and 16th of July, 2017.

3. Learned counsel appearing on behalf of the petitioners submits that after publishing the result of preliminary examination conducted by the APPSC, the results of the petitioners pertaining to their hall ticket numbers were not published, despite they secured qualifying marks, however, their result was withheld. On enquiry with respondent No.1, they came to know that their hall ticket numbers are rejected with a reason in remarks "REJECTED – ROLL NO.

WRONGLY ENCODED”, in their OMR sheets, as per the information given by the APPSC.

4. Similar issue came before the Tribunal in O.A. No.780 of 2011 and the same was dismissed by the Tribunal on 20.07.2011 by following the orders of this Court in W.P. No.20088 of 2003. The relevant portion of the decision of this Court in W.P. No.20088 of 2003 at paragraph No.4 reads as under:

"Though the learned counsel for the petitioner tried to convince this Court that on account of slight mistake committed by the petitioners they could not be denied employment opportunity, we have not persuaded to accept his contention. When the petitioners themselves committed mistake in encoding their register number/optional codes, they have to suffer for the same and nobody could be blamed for their mistakes. Thus, we do not find any illegality or irregularity in the order passed by the Tribunal and we find no merit in the Writ Petition."

5. In addition to above, recently W.P. No.4131 of 2016 was also dismissed by this Court on 15.03.2017 in a similar issue.

6. It is an admitted fact that the examination was conducted on 26.02.2017. By mistake, the petitioners did a mistake in bubbling one or two digits of Roll Number/Hall Ticket numbers in OMR sheets, though they correctly written numerical numbers in the space provided. But, unfortunately, the answer sheets of the petitioners were invalidated.

7. Keeping in view the facts recorded above and the issue which has already been dealt and rejected by this Court, we find no illegality or perversity in the order passed by the Tribunal. Finding no merit in this writ petition, the same is accordingly dismissed. There shall be no order as to costs.

8. As a sequel, miscellaneous petitions pending, if any, shall also stand dismissed.

SURESH KUMAR KAIT, J

Dr. SHAMEEM AKTHER, J

Date:08-06-2017

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