

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

WRIT PETITION No.4512 of 2004

DATE:- 10-08-2017

Between:

Andhra Pradesh Public Service Commission,
Rep.by its Secretary, Nampally, Hyderabad

..... PETITIONER

AND

Narendra Kumar

.....RESPONDENTS

COUNSEL FOR THE PETITIONER : Sri C.SRINIVASA BABA
(SC for APPSC)

COUNSEL FOR RESPONDENT : None appeared

THE COURT MADE THE FOLLOWING:



THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

WRIT PETITION No.4512 of 2004

ORDER: (per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

The Andhra Pradesh Public Service Commission (for short "APPSC"), through its Secretary, filed this writ petition aggrieved by the order, dated 10.06.2003, of the Andhra Pradesh Administrative Tribunal, Hyderabad (for short "the Tribunal"), whereby it has directed revaluation of the answer sheet of Paper-II of the respondent, pertaining to Group-I Services examination.

Though the respondent entered appearance through his counsel Mr.A.K.Jayaprakash Rao, no one appeared at the hearing, both in the pre-lunch as well as post-lunch sessions.

Mr.C.Srinivasa Baba, Standing Counsel for APPSC, has submitted that having taken note of the fact that there is no provision in the Service Commission Regulations for revaluation of answer papers, the Tribunal has given a direction for such revaluation. He has further submitted that the said direction was stayed as far back as 11.03.2004 and the said order is in operation as on today. He has also pointed out that the respondent is aged about 52 years as on today and that it is not feasible to consider his case at this length of time, even if he gets qualifying marks, as all the vacancies were filled up.

We find merit in the submissions of the learned Standing Counsel. The only ground on which the Tribunal has directed revaluation was that there was steep variation between the marks obtained by the respondent

between Paper-I and Paper-II. In the absence of any provision for revaluation, the Tribunal ought not to have ordered revaluation only on the aforementioned ground. Apart from the same, the notification was of the year 1993 and nearly 25 years elapsed since then. Added to this, the respondent has not evinced any interest in pursuing this writ petition.

In the light of the above mentioned reasons, the impugned order is set aside. The Writ Petition is accordingly allowed. No order as to costs.

C.V.NAGARJUNA REDDY,J

M.S.K.JAI SWAL,J

Date: 10.08.2017
Dsr

