

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5309 of 2010**

R. K. Vishwakarma S/o late Gopal Prasad Vishwakarma, aged about 50 years, Assistant Grade-I, Local Fund Audit, R/o at present Sector-2, Block-3, Room No.80, Kashiram Nagar, Raipur (CG)

---- Petitioner**Versus**

1. State of Chhattisgarh through Secretary, Finance, D.K.S. Bhawan, Raipur (CG)
2. Commissioner, Sanchanalayala Local Fund Audit (Finance) Raipur (CG)
3. Deputy Director, Local Fund Audit (Examination Controller), Sanchanayala, Local fund Audit, Raipur (CG)

---- Respondents

For Petitioner	:	Shri B. N. Nande, Advocate
For Respondent/State	:	Shri S. P. Kale, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order On Board****22.06.2018**

The relief sought for by the petitioner in the present writ petition is for quashment of the orders dated 16.10.2008 and 03.12.2008 whereby the respondents have cancelled the Subordinate Accounts Service (in short "SAS") Part-I & Part-II examinations held in March, 2008.

2. Perusal of the reply filed by the respondents would show that the Department had conducted preliminary enquiry wherein itself it revealed that the question paper was leaked and therefore, the answer which has been attempted by each of the candidates appear to be identical in nature. Most of the candidates seem to have attempted the same questions. The model answer and the answer attempted by the candidates were identical

which suggested some discrepancies to have occurred in the process of conducting examination.

3. In the given facts, if the respondents have cancelled the examination held in 2008, the same cannot be said to be either malafide or arbitrary. Another reason for not entertaining the petition is that by efflux of time, the Department must have conducted more than couple of SAS exams and the petitioner must have got an opportunity to participate in the said exams.

4. For all the aforesaid reasons, the present writ petition does not have any merit and the same deserves to be and is accordingly dismissed.

**Sd/-
P. Sam Koshy
Judge**