

HIGH COURT OF CHHATTISGARH, BILASPUR**WRIT PETITION (S) NO. 4237 OF 2018**

1. Avinash Banjare S/o G.L. Banjare, Aged About 24 Years R/o E 91 K 2 Vihar CSEB Colony, Korba, West, District Korba Chhattisgarh.
2. Shireesh Kumar Paikra, S/o Lochan Singh Paikara, Aged About 23 Years R/o Gulab Nagar Mopka Bilaspur, District Bilaspur Chhattisgarh.
3. Anjay Patre S/o Rjkumar Patre Aged About 26 Years R/o Village Sonpuri, Tehsil And District Baloda Bazar Chhattisgarh.
4. Ravi Kumar Devangan S/o R.L. Devangan Aged About 24 Years R/o E 84 K2 Vihar CSEB Colony Korba West, District Korba Chhattisgarh.

...Petitioner(s)**Versus**

1. State of Chhattisgarh Through The Secretary, Ministry Of General Affairs Department, Mahanadi Bhawan, Naya Raipur Chhattisgarh.
2. Chhattisgarh State Power Holding Company Limited, Through The Executive Director, Controller Of Examination, CSPHCL, Danganiya, Raipur Chhattisgarh.

... Respondent(s)

For Petitioners	:	Shri Shantam Awathi, Advocate.
For Respondent-State	:	Shri Shashank Thakur, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****02.07.2018**

1. Challenge in this writ petition is to the action on the part of the respondents in cancelling the examination conducted by the respondent No.2 so far as candidates who had entered appearance for the examination centre at Bharti College of Engineering, Durg, on 30.05.2018.
2. A perusal of record would show that none of the petitioners had appeared in the said examination from the centre at Bharti College of Engineering, Durg. The petitioners were candidates in the said examination and were permitted to participate in a different centre of which the examination has not been cancelled. Given the said facts

and circumstances of the case, the petitioners may not have any right to challenge the cancellation of the examination of a particular centre. Moreover, the petitioner's examination has not been cancelled till now and results would be declared along with other candidates who had participated in the said examination.

3. So far as the ground of the action being hit by Article 16 is concerned, the same may not be attracted in the present case as cancellation of a particular centre was made on account of allegation of large scale cheating taken place during the course of examination in the said centre. Under such circumstances if the authorities have cancelled examination for the candidates of only that centre, the same cannot be said to be malafide as it would be only those candidates who would be subjected to fresh examination.
4. For the aforesaid reasons, this court does not find any strong ground made out by the petitioners calling for interference with the impugned action taken by the respondents.
5. Accordingly, the petition fails and is dismissed.

Sd/-
(P. Sam Koshy)
Judge