

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT
AND
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

WRIT APPEAL Nos.200 & 218 of 2018

COMMON JUDGMENT: (Oral)

(Per Suresh Kumar Kait, J)

As the impugned order in the present appeals is one and the same, i.e. common order dated 18.12.2017 passed by the learned single in W.P.Nos.42070 and 42073 of 2017 respectively, the appeals are heard together and disposed of by this common judgment.

2. For the sake of convenience, facts enumerated in W.A.No.200 of 2018 are taken into consideration.

Respondent No.1 herein filed the aforesaid writ petition being aggrieved by the action of the appellants herein in withholding her written test results of TSTET-2017. It is her case that she appeared for the said test vide hall ticket No.77171710101146, wherein there are 4 sets of question papers, i.e. A, B, C & D. The candidate is required to fill up the column (bubbling) relating to the question paper. In the present case, respondent No.1 did not mention which series of question paper she has received and answered accordingly. It is not in dispute that in all the question papers, questions were same, however, arranged in a jumbling manner in each of the sets. Therefore, irrespective of the fact that a candidate has received question paper of 'A' series or any other series, the questions remain the same. However, inadvertently, respondent No.1, forgot to bubble the column relating to the question paper she has received. It is stated that respondent No.1 received 'C'

series question paper and accordingly she attempted the questions, but her answer script has not been examined due to the aforesaid fact.

3. Similar issue came before this Court in W.P.No.26845 of 2017 and batch, which was disposed of vide order dated 30.11.2017 directing the respondents therein to examine the answer scripts of the petitioners therein.

4. In these appeals, there are only two candidates. Therefore, it would not be so difficult for the appellants herein to identify their answer scripts and evaluate them.

5. In view of the above, we do not find any illegality or perversity in the order dated 18.12.2017 passed by the learned single Judge in W.P.Nos.42070 and 42073 of 2017.

6. The appeals are without merit and are accordingly dismissed. No order as to costs.

Miscellaneous petitions, if any pending in the appeals, stand closed.

SURESH KUMAR KAIT, J

ABHINAND KUMAR SHAVILI, J

March 9, 2018
MRR