

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.46027 of 2016

ORDER

This Writ Petition is filed seeking the following relief:

“to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the competitive exam conducted by the second respondent on 17 7 2016 for the selection to the post of Chemist as illegal, improper, arbitrary and null and void and consequently set aside the same and pass such and further order or orders as this Hon’ble Court deems fit and proper in the circumstances of the case.”

Heard Sri Jalli Kanakaiah, learned counsel for the petitioners and Sri G.Vidya Sagar, learned Senior Counsel, appearing for Smt.A.Deepthi, counsel for the respondents.

It is the case of the petitioners that they are fully eligible and qualified to the post of Chemist as they possess the requisite qualifications. The 2nd respondent has issued Notification on 23-05-2016 for recruitment to the posts of Chemist and they have submitted their applications and appeared for the examination. Their grievance is that the questions in the written examination were not properly framed and the key answers to the said questions were disputed and finally, the 2nd respondent has released the final key on 12-11-2016. However, the answer sheets of the

petitioners were not properly evaluated in terms of the final key dated 12-11-2016.

Learned counsel appearing for the petitioners submits that if the respondents have evaluated the answer sheets in accordance with the final key dated 12-11-2016, they would have got six extra marks and that would have helped them to get selected as Chemists; and that appropriate orders be passed directing the respondents to re-evaluate the answer sheets of the petitioners strictly in terms of the rectified final key dated 12-11-2016 so as to consider their cases for selection to the post of Chemist.

Sri G.Vidya Sagar, learned Senior Counsel appearing for the respondents, submits that the answer sheets of the petitioners would be re-evaluated as per the final key dated 12-11-2016 and appropriate steps will be initiated to consider the cases of the petitioners based upon the revised evaluation of their answer sheets along with other eligible candidates.

This Court, having considered the rival submissions made by the learned counsel on either side, is of the view that this Writ Petition can be disposed of by directing the respondents to re-evaluate the answer sheets of the petitioners along with other eligible candidates strictly in

terms of rectified final key dated 12-11-2016 and thereafter, consider their cases for selection and appointment to the post of Chemist in the remaining unfilled vacancies. It is needless to say that this entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

14th June, 2019
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