

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.28024 OF 2019

ORDER:

This writ petition is being disposed of at the admission stage, with the consent of both the counsel appearing for the respective parties.

This writ petition is filed seeking the following relief:

“to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of *Mandamus* directing the respondent to review the results of Divisional Test of May 2019 by considering the representations dated 08-11-2019 and 22.11.2019 and pass other order or orders as this Hon'ble Court deem fit and proper in the circumstances of the case.”

Heard Sri J.R.Manohar Rao, learned counsel for the petitioner and Sri T.Balakishan Rao, learned Standing Counsel for the respondent.

It is contended by the learned counsel for the petitioner that the petitioner has been working as Senior Assistant in the Irrigation Department. He appeared for the departmental test conducted during May, 2019 and the results of the test have been announced. The petitioner could secure only 39 marks in Divisional test part-II paper and fell short by one mark in clearing the said examination. Thereafter the petitioner has submitted representations on 08.11.2019 and 22.11.2019 requesting the respondent to award one mark to the petitioner as the key prepared by the respondent for question Nos.35, 76,

91 and 100 were incorrectly framed. But, so far the respondent has neither passed any orders on the said representations nor reviewed the results of the petitioner.

Counsel for the petitioner has contended that if the respondent had reviewed the result of the petitioner by duly considering the correct key and also by taking into account the representations submitted by the petitioner, the petitioner would have cleared the examination. He further contended that appropriate orders be passed directing the respondent to consider the representations submitted by the petitioner on 08.11.2019 and 22.11.2019 and pass appropriate orders, in accordance with law.

Learned Standing Counsel for respondent had contended that since petitioner's representations are pending with the respondent, the respondent would consider the same and pass appropriate orders, in accordance with law.

This Court, having considered the submissions of both the counsel, is of the considered view that this writ petition can be disposed of directing the respondent to consider the representations of the petitioner dt.08.11.2019 and 22.11.2019 and pass appropriate orders, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

Date: 17-12-2019
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HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

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17.12.2019

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