

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.34074 of 2019
Date of Decision: 27.11.2019

Dhiru Thakur

... Petitioner

VS.

Hon'ble High Court of Punjab and Haryana & Ors.

... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Aman Arora, Advocate for the petitioner

Mr. Kanwal Goyal, Advocate for respondent No.1

GIRISH AGNIHOTRI, J.

(1) The petitioner, namely, Dhiru Thakur, who is presently serving as Senior Civil Judge in Himachal Pradesh Judicial Services has filed the present writ petition *inter alia* seeking a direction to respondents No.1&2 to re-evaluate the answer-sheets of the petitioner (of Punjab Superior Judicial Service Examination, 2017) with respect to the papers of English and Punjabi language dated 17.11.2018 and Criminal Law paper dated 18.11.2018 the result of which was declared on 27.02.2019.

(2) The petitioner by making reference to the pleadings *inter alia* contends that since 10.10.2006, the petitioner has been serving as Judicial Officer in the Himachal Pradesh Judicial Service. The petitioner had filed WP(C) No.1069/2017 before the Hon'ble Apex Court challenging the *vires* of Rule 10(b) of the Punjab Superior Judicial Service Rules, 2007. An interim prayer was also made to allow the petitioner to appear in the examination. It is contended that the petitioner was permitted by the Hon'ble Apex Court to appear in the ensuing exam vide order dated 13.11.2017, "*subject to the result of the instant writ petition*".

(3) It is then submitted that the petitioner qualified the preliminary exam and appeared in the Mains exam held on 16th, 17th and 18th November, 2018. On 27.02.2019, the final result of Mains exam of Punjab Superior Judicial Service, 2017 was declared and the petitioner was unsuccessful. The petitioner in the present writ petition has *inter alia* raised a grievance that after applying for answer-sheets of Mains exam under RTI, and after the receipt/scrutiny of the same, allegedly for question No.7, there appeared to him some 'cutting'.

(4) This Court in order to satisfy itself had summoned the original answer-sheets.

(5) We have perused the summoned answer-sheets of the petitioner and have shown the same to counsel for the petitioner as well.

(6) At this stage, counsel for the petitioner has made a request to permit the petitioner to withdraw the writ petition. This Court deems it appropriate to accept his request and permit the petitioner to withdraw the writ petition.

(7) The writ petition is accordingly dismissed as withdraw with no order as to costs.

27.11.2019

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(Jaswant Singh)
Judge

(Girish Agnihotri)
Judge

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

Yes/No
Yes/No