

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2096 of 2020

Parvej Hasan, S/o. Shri Jahir Hasan, Aged About 28 Years, Ward No. 01 Killapara, Dongargaon, Tahsil Dongargaon, District Rajnandgaon, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Law And Justice Raipur, District Raipur, Chhattisgarh.
2. The High Court Of Chhattisgarh, Through The Registrar General, High Court Campus Bodri, District Bilaspur, Chhattisgarh.
3. Chhattisgarh Public Service Commission, Through The Secretary, Shankar Nagar Road, Bhagat Singh Square, Raipur, District Raipur, Chhattisgarh.
4. The Examination Controller, Chhattisgarh Public Service Commission, Shankar Nagar Road, Bhagat Singh Square, Raipur, District Raipur, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Malay Jain, Advocate
For State/Respondent No.1	:	Mr. Amrito Das, Addl. A.G.
For Respondent No.2	:	Mr. Prafull N. Bharat with Mr. Akash Pandey, Advocates
For Respondent No.3 & 4	:	Mr. Ashish Shrivastava, Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

03.07.2020

Heard

1. The present petition has been filed seeking relief that the petitioner may be allowed to appear in the main examination for the post of Civil Judge Class-II, which was advertised on 01.02.2019 and published on 06.02.2019. It is contended that the petitioner has applied for the post of Civil Judge Class-II and appeared in the preliminary examination on 07.05.2019. The model answer was published on 08.05.2019 and

according to it, the petitioner secured 87 marks. It is stated as per the order of the Division Bench passed in Writ Appeal No.605/2019 and other connected matters it came to the knowledge of the petitioner that the cut-off marks to qualify the main examination was only 86 and the petitioner found that similarly situated persons were given entry in the main examination on the basis of their score prior to filing of objection. It is stated after deletion of 12 questions, petitioner still qualifies; therefore, the petitioner would be entitled to appear in the main examination.

2. Chhattisgarh Public Service Commission has placed on record on the closed envelop the marks obtained by the petitioner after amended model answer published on 22.06.2019 and the same is taken on record. According to it, initially the petitioner scored 87 marks according to the model answer published on 08.05.2019 and after deletion of 12 questions as per model answer published on 22.06.2019 the petitioner number is 84.0936. The record do not suggest that the petitioner has approached earlier to the PSC or filed petition before the Court when the model answers were subsequently finalized. In view of this, it appears that after the fresh evaluation of marks on the basis of amended model answer, the petitioner failed to get the qualifying marks to appear in the main examination. Since it has been stated that the cut-off marks for appearance in main exam for a candidate is 86, the petitioner cannot be said to have qualified to allow him to appear in the main examination.
3. In view of the above, the petition has no merit and accordingly is dismissed.

Sd/-
(Goutam Bhaduri)
Judge