

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 2558 of 2021**

Shaheena Parveen W/o Syed Firoz Ali, Aged About 35 Years, R/o Flat No. 301 A, 3rd Floor Prempark Apartment, Mahaveer Nagar, Behind Mining Office, Purena Raipur, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Higher Education Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur, Chhattisgarh
2. Chhattisgarh Vyavsayik Pariksha Mandal CGVYAPAM Vyapam Bhawan, North Block Sector 19, Atal Nagar Raipur, District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Sushobhit Singh, Advocate
For State	:	Mr. Jitendra Pali, A.G.
For Respondent no.2	:	Dr. Saurabh Kumar Pandey, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****18.06.2021**

1. The dispute in the present writ petition seems to be the State Eligibility Test which was conducted by the respondent no.2 on 08.09.2019.
2. The model answers for the said examination was published on 06.01.2020. Subsequently, final answers were published on 24.06.2020. The petitioner has been found disqualified as she has not

been meritorious for being declared as passed in the State Eligibility Test. The present writ petition has been filed only on 12.04.2021 i.e. after about 10 months from the date the final answers were published.

3. Perusal of the record would reveal that the petitioner for the first time had made a representation/objection in respect of one of the questions and its answer provided by the respondents only on 18.08.2020 i.e. much after the final answers were published on 24.06.2020. When model answers are published, the candidates are called upon to submit their objection if any to the model answers so published by the respondents. Those objections are duly considered by the authorities and it is only thereafter that the final answers are published.
4. In the instant case also admittedly when the model answers were published, the petitioner did not raise any objection whatsoever for almost 8 months. In between, after considering the objections that were filed by other candidates, the department published final answers on 24.06.2020.
5. Given the said fact that the petitioner having not raised an objection at the first instance when the model answers were published it has to be considered that the petitioner never had an objection to the said answers so published by the respondents and in the course if the respondents have published the final answers, the petitioner now at this belated stage cannot be permitted to turn around and question the answers which have been published by the respondents particularly after due consideration of all the objections which were received at the first instance.

6. The writ petition therefore in the opinion of this Court sans merits and deserves to be and is accordingly rejected.

**Sd/-
P. Sam Koshy
Judge**

Khatai