

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

941 WRIT PETITION NO. 11376 OF 2024

ASHOK SAMBHAJI RODE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Petitioner : Mr. Balkhande Prakash V.

AGP for Respondents : Mr. M.M. Nerlikar

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CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.

DATE : 18 OCTOBER 2024

PER COURT :

The petitioner is seeking re-evaluation of the answer sheets in respect of the written examination of both the papers, I and II, which he attempted in the examination conducted by the respondent no. 2 / Maharashtra Public Service Commission for the post of Assistant Public Prosecutor.

2. The petitioner is aggrieved and challenging the order of the Maharashtra Administrative Tribunal, dismissing the original application on the ground that no statutory provision was pointed out.

3. We have heard learned Advocate for the petitioner. He submits that the petitioner has a genuine claim of wrong assessment of his answer papers and has been given meager marks.

4. Suffice for the purpose to refer to the decision in the matter of *Ran Vijay Singh and Others Versus State of Uttar Pradesh and Others*, (2018) 2 SCC 357, wherein the parameters have been laid down as to the scope of judicial review in such matters of recruitment with a request for reassessment/re-evaluation.

5. Considering the law laid down, no fault can be found with the observations of the Tribunal regarding absence of any statutory provision for resorting to re-evaluation. Even none has been pointed out to us.

6. This leaves with the only other circumstance indicated in the *Rajvijaysing and Others* (supra) about existence of some glaring material to demonstrate incorrectness in the assessment of the answer sheets. No specific and precise pleadings can be found in the original application or even in the memo of the writ petition, demonstrating the reasons or the basis as to why such extra ordinary power of judicial review could be revoked for directing re-evaluation.

7. There is no substance in the petition. The Writ Petition is dismissed.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]