

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE No: Writ Appeal No.314 of 2024

PROCEEDING SHEET

S. No.	DATE	ORDER	OFFICE NOTE
16.	09.01.2026	<u>HCJ (AKrS,J) & RY, J</u> <u>I.A.No.1 of 2025</u> (Condone Delay Petition) Mr. Ramesh K.Chilla, learned counsel for review petitioner (respondent No.1 in the writ appeal). Dr. K.Lakshmi Narasimha, learned counsel for respondent No.1 (appellant in the writ appeal), duly assisted by Mr. T.Krishna Kumar, learned counsel, appears through video conference. Ms. K.Udaya Sri, learned counsel appears for respondent No.3-Telangana State Southern Power Distribution Company Limited (TSSPDCL). Having heard learned counsel for the parties and having regard to the reasons stated in the accompanying affidavit, this application to condone the delay of 190 days in representing the review application is allowed. HCJ (AKrS,J) RY, J <u>I.A.No.3 of 2025</u> (Review Petition) Heard learned counsel for the parties. Respondent No.4 in W.P.No.4796 of 2020 (Uzma Nazneen) preferred the writ appeal against the	Note: Transferred to (i/o) folder before corrections, if any. B/o lur

		judgment dated 02.04.2024 passed therein, whereby the learned writ court had issued direction to respondents No.2 and 3 (official respondents) to give one mark to the review petitioner (Asia Tabassum) for option (A) given by her to Question No.27 of booklet-C and consequently to consider her appointment to the post of Junior Personnel Officer, if she is otherwise eligible. By order dated 28.02.2025, the writ appeal was allowed setting aside the judgment dated 02.04.2024 passed in W.P.No.2796 of 2020. Being aggrieved the review petitioner (Asia Tabassum) has preferred the present review petition. Learned counsel for the review petitioner has questioned the findings of the learned appellate court on the ground that the issue revolving around answer to question No.27 of booklet-C was dealt with by incorrectly applying the judgment rendered in the case of Kanpur University through Vice-Chancellor v. Samir Gupta [(1983) 4 SCC 309]. Learned appellate court committed an error apparent on the face of the record on the question of interpretation of instruction 3 of answer booklet though the same was inapplicable to deal with the challenge to the issue revolving around question No.27 of booklet-C. Learned appellate court treated the difference of language in English version and Telugu version of the question as only a discrepancy though both the	
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		questions were different in nature. In such a case, the instruction No.3 would not apply to the answer given to the English version. Learned appellate court, however, applied instruction 3 and allowed respondent No.1 to have the benefit of one mark and consequent appointment to the post of Junior Personnel Officer. In such a case, the order requires to be recalled in exercise of review jurisdiction of this Court. Learned counsel for respondent No.1 (Uzma Nazneen) submits that the grounds taken in review petition are going to the merits of the issue and are not in the nature of errors apparent on the face of the record. Review petitioner has laboured to make out the case on merits on the interpretation of instruction 3 in relation to the correct answer to question No.27 of booklet-C. This is not open to be raised in review jurisdiction. He submits that if the petitioner is aggrieved by the impugned judgment, the remedy lies elsewhere. Therefore, this Court may refuse to interfere in the matter. Learned counsel for the Corporation supported the above submission of learned counsel for the respondent No.1/appellant (Uzma Nazneen). After succeeding in the appeal, the appellant (Uzma Nazneen) was appointed as Junior Personnel Officer and she is in service for the last two years.	
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		We have considered the submissions of learned counsel for the parties on the question of applicability of instruction 3 to the relevant question 27 of booklet-C and two versions in English and Telugu thereof. The plea being taken by the review petitioner is one which goes to the merits of the matter. The error, if any being pointed out on behalf of review petitioner, is not an error which can be said to be apparent on the face of the record but discernable after arguments on merits of the case of the parties. Such errors, if any, are not amenable to review jurisdiction. The contention of the petitioner that the decision in the case of Kanpur University (supra) has incorrectly been applied to the facts of the case also do not invite correction in review jurisdiction. Therefore, we are not inclined to entertain the prayer for review made by the review petitioner. Accordingly, the instant review petition is dismissed. _____ HCJ (AKrS,J) _____ RY, J LUR	
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