CGHC010377532026 2026:CGHC:45508-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WA No. 1030 of 2026

Kalyan Bhatprahari S/o Dileep Bhatprahari Aged About 33 Years R/o Junwani, P.O. Gidhpuri, Balodabazar, District Bhatapara-Balodabazar, Chhattisgarh.

... Appellant

versus

1 - Chhattisgarh Professional Examination Board, Through Its Chairman, Vyapam Bhavan, North Block, Sector - 19, Atal Nagar, Nava Raipur, Chhattisgarh – 492001.

2 - State Of Chhattisgarh Through The Secretary, Department Of Higher Education, Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, Chhattisgarh.

3 - Public Information Officer Chhattisgarh Professional Examination Board, Vyapam Bhavan, North Block, Sector-19, Atal Nagar, Nava Raipur, Chhattisgarh – 492001.

... Respondents

For Appellant	: Mr. Aman Pandey, Advocate
For Respondents No. 1 and 3/VYAPAM	: Dr. Saurabh Kumar Pande, Advocate
For Respondent No. 2/State	: Mr. Amit Buxy, Deputy Govt. Advocate

Hon'ble Shri Krushna Ram Mohapatra, Chief Justice and

Hon'ble Shri Santosh Sharma, Judge

Judgment on Board

Per Krushna Ram Mohapatra, C.J.

RAHUL DEWANGAN

Digitally signed by RAHUL DEWANGAN

28/10/2026

1. I.A. No. 01 of 2026.

2. This is an application for condonation of delay of 10 days in filing the writ appeal.

3. Learned counsel for the respondents do not have any serious objection to the prayer for condonation of delay.

4. Hence, taking note of the submissions made by learned counsel for the parties and the averments made in the I.A., the delay in filing the writ appeal is condoned.

5. I.A. No. 01 of 2026 is **disposed of** accordingly.

6. On the request of learned counsel for the parties, the Writ Appeal is taken up for adjudication on merit.

7. The order dated 29.07.2026 passed by the learned Single Judge in WPS No. 8137 of 2022 (Annexure A-1) is under challenge in this *intra-court* appeal. The writ petitioner, being aggrieved by the impugned order dismissing the writ petition, has filed this writ appeal.

8. Mr. Pandey, learned counsel for the appellant, submits that an advertisement was issued by the State Government for appointment to the post of Food Inspector. Pursuant to the said advertisement, the Chhattisgarh Professional Examination Board (For brevity 'the Board') conducted the written examination on 04.01.2022. The written examination was conducted in offline mode, wherein the candidates were provided with 200 questions to be answered on OMR sheet. The appellant, along with other candidates, participated in the written examination. After

submission of the original OMR sheet, the appellant was also provided with a carbon copy of his OMR answer sheet by the Board on the same day at the examination centre.

9. It is submitted by Mr. Pandey, learned counsel for the appellant, that, as per the impression made in the slots against the questions replied on the carbon copy of the OMR sheet, the appellant was expecting to secure 157 marks. However, he was awarded only 13.128 marks out of 200. Thus, the appellant applied for a copy of the OMR sheet under the provisions of the Right to Information Act, 2005, which was also supplied to him. On verification of the OMR sheet provided to the appellant under the RTI Act, he noticed a substantial mismatch and raised a doubt about the authenticity of the OMR sheet provided to him.

10. It is alleged by the appellant that the OMR sheet on which he had marked the answers to the questions might have been tampered with or manipulated. As such, he approached this Court by filing WPS No. 8137 of 2022.

11. During adjudication of the writ petition, the learned Single Judge also called for the original OMR sheet of the appellant, which was produced before the Court by the Board in a sealed cover.

12. It is submitted that, in view of the discrepancy and mismatch between the original OMR sheet and the carbon copy thereof, the matter should have been examined by an expert committee. However, the learned Single Judge, without referring the matter to an expert committee, examined the original OMR sheet produced by the Board and the copy produced by the appellant. Upon

examination, the learned Single Judge erroneously came to the conclusion that there was no manipulation in the OMR sheet of the appellant produced by the Board and accordingly dismissed the writ petition. Being aggrieved by the said order, the appellant has filed this *intra-court* appeal.

13. Mr. Pandey, learned counsel for the appellant, further submits that when a doubt was raised by the appellant with regard to the genuineness of the OMR sheet produced by the Board, the same should have been sent to an expert committee for verification. Without resorting to the same, the learned Single Judge proceeded to adjudicate the matter on merit. He, therefore, prays for setting aside the impugned order and for sending both the copies of the OMR sheet, one provided by the Board and the other produced by the appellant before the Court, to an expert committee for verification.

14. Dr. Pande, learned counsel for the Board, submits that the appellant had approached the Court with the specific case that the OMR sheet produced by the Board had been manipulated. Neither the serial number of the OMR sheet nor the signatures of the appellant and that of the invigilator appearing on the OMR sheet was disputed by either of the parties. The stamp of the examination centre was also not disputed by either of the parties to the writ petition. The slots against each of the questions answered by the appellant were filled in with a blue ballpoint pen, which could not have been tampered with. He, therefore, submits that the question of tampering with the OMR sheet of the appellant does not arise at

all. Moreover, many candidates had appeared in the said examination, and there was no reason as to why the OMR sheet of the appellant alone would be tampered with or manipulated. He, therefore, submits that there is no illegality in the impugned order (Annexure A-1) and prays for dismissal of the writ appeal.

15. Heard learned counsel for the parties. During the course of hearing of the writ appeal, learned counsel for the parties produced before us the respective OMR sheets in their possession.

16. On examination and scrutiny of the OMR sheet produced by Dr. Pande, learned counsel for the Board, it appears that the serial number mentioned therein matches with the serial number of the carbon copy produced by the appellant before this Court.

17. The signatures of the appellant as well as invigilator on carbon copy of the OMR sheet produced by the appellant, are faint and not clearly visible. The stamp of the examination centre is also not visible on the carbon copy produced by the appellant. On the other hand, the original OMR sheet of the appellant produced by Dr. Pande, learned counsel for the Board, bears the serial number and the signatures of the candidate (appellant) as well as the invigilator, together with the seal of the examination centre.

18. On close examination of the OMR sheet, this Court finds no sign of tampering or manipulation in the OMR sheet of the appellant. Mr. Pandey, learned counsel for the appellant, also does not dispute the signatures of the appellant as well as the invigilator on the OMR sheet produced by the Board. The roll number of the appellant reflected in the OMR sheet produced by the Board is also not

disputed.

19. At this stage, learned counsel for the appellant submits that he had filed an application for sending both the documents to an expert committee for examination on the date of hearing, i.e., 29.07.2026. He submits that both the documents should have been sent to an expert committee for a final and concrete decision.

20. However, on a bare perusal of the record, it appears that the appellant approached this Court with the specific case that the OMR sheet produced by the Board had been tampered with or manipulated, but he could not specify the details of tampering therein. Only a bald allegation of manipulation on his OMR sheet has been made by the appellant, which has no basis.

21. In view of the aforesaid circumstances, we are of the considered opinion that there was no necessity to send both the copies to an expert committee for examination and verification.

22. On a cumulative assessment of the facts and circumstances of the case and the discussions made hereinabove, we are of the considered opinion that the learned Single Judge has committed no error in arriving at the impugned conclusion. Hence, we are not inclined to interfere with the same.

23. Accordingly, the writ appeal, being devoid of any merit, stands **dismissed**.

Sd/-

(Santosh Sharma)
Judge

Sd/-

(Krushna Ram Mohapatra)
Chief Justice

Rahul Dewangan