2026:AHC:213088

# HIGH COURT OF JUDICATURE AT ALLAHABAD

**WRIT - A No. - 13968 of 2026**

Shyam Sundar and 2 others

.....Petitioner(s)

Versus

State of Uttar Pradesh and 2 others

.....Respondent(s)

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**Along with :**

1. **Writ - A No. 12486 of 2026:**
   Km. Chetan and 4 others
   Versus
   State of U.P. and another
2. **Writ - A No. 16586 of 2026:**
   Sachin Shukla
   Versus
   State of U.P. and 2 others
3. **Writ - A No. 11940 of 2026:**
   Kamlesh Kumar Yadav and 13 others
   Versus
   State of Uttar Pradesh and 2 others
4. **Writ - A No. 13214 of 2026:**
   Deepa Yadav
   Versus
   State of U.P. and another
5. **Writ - A No. 14281 of 2026:**
   Aditya Kumar Rai
   Versus
   State of U.P. and 2 others
6. **Writ - A No. 11895 of 2026:**
   Yash Pandey and 44 others
   Versus
   State of U.P. and another
7. **Writ - A No. 12448 of 2026:**
   Rajeev
   Versus
   State of Uttar Pradesh and 2 others
8. **Writ - A No. 14080 of 2026:**
   Ravi Sharma
   Versus
   State of U.P. and another
9. **Writ - A No. 13141 of 2026:**
   Ashish Pandey
   Versus

State of U.P. and another

10. **Writ - A No. 13688 of 2026:**
Shiv Sagar Tiwari and 8 others
Versus
State of U.P. and 7 others

11. **Writ - A No. 16272 of 2026:**
Amit Kumar and another
Versus
State of U.P. and another

12. **Writ - A No. 11912 of 2026:**
Vartika Rai and 11 others
Versus
State of U.P. and 4 others

13. **Writ - A No. 12690 of 2026:**
Bhupendra Baghel
Versus
State of U.P. and 3 others

14. **Writ - A No. 13529 of 2026:**
Bipan Kumar and another
Versus
State of Uttar Pradesh and another

15. **Writ - A No. 11952 of 2026:**
Nishant Nain and 4 others
Versus
State of U.P. and another

16. **Writ - A No. 12297 of 2026:**
Ankit
Versus
State of UP and another

17. **Writ - A No. 12732 of 2026:**
Abhishek Choudhary
Versus
The State of U.P. and 6 others

18. **Writ - A No. 12948 of 2026:**
Vishal Kumar
Versus
State of U.P. and another

19. **Writ - A No. 14672 of 2026:**
Parmanand Yadav
Versus
State of U.P. and 2 others

20. **Writ - A No. 12047 of 2026:**
Aman Babu and 7 others
Versus
State of U.P. and another

21. **Writ - A No. 13822 of 2026:**
Shivam Singh
Versus
State of U.P. and another

| | | |
|---|---|---|
| Counsel for Petitioner(s) | : | Adarsh Pratap Singh, Alok Mishra, Aman Kesarwani, Aniruddh Pandey, Anup Kumar Khare, Arya Gautam, Asheesh Kumar Yadav, Ashok Kumar Singh, Atipriya Gautam, Babu Ram Yadav, Devottam Pandey, Dileep Singh Yadav, Nutan Mishra, Prakash Raj Shukla, Pranvesh, Raghvendra Mishra, Rahul Pandey, Rajesh Kumar Pandey, Rang Nath Pandey, Sameer Yadav, Sanjay Kumar Yadav, Sanjeev Kumar Yadav, Sanyam Tiwari, Saurabh Tripathi, Shatrughan Sonwal, Shiv Pratap Singh Rana, Shivendu Ojha, Sr. Advocate, Vaishnavi Srivastava, Vinay Singh, Vinod Kumar Yadav |
| Counsel for Respondent(s) | : | C.S.C. |

**Court No. - 34**

(Sl.No.2)

**HON'BLE ANISH KUMAR GUPTA, J.**

1. Heard Sri Ashok Khare, Senior Advocate assisted by Sri Alok Mishra and Sri Raghvendra Mishra, Advocates, Sri Prabhakar Awasthi, Senior Advocate and other learned counsels for the petitioners as noted herein above and Sri Manish Goyal, learned Additional Advocate General assisted by Sri Ram Swaroop Umrao, learned Standing Counsel for the State and Ms. Akanksha Mishra, brief holder.

2. The controversy involved in all these batch of petitions relates to the correctness of the various answers and the various options given to certain questions with regard to the written examination conducted for the post of Sub-Inspector in the Civil Police and other equivalent posts direct recruitment 2025 pursuant to an advertisement dated 12.08.2025. The advertisement in question provided the following in clause:-

"3.1(12) लिखित परीक्षा के उपरान्त बोर्ड द्वारा उत्तर कुंजी प्रकाशित की जाएगी तथा प्रश्तों एवं उत्तर विकल्पों के बारे में अभ्यर्थियों से आंपत्तियां: आमंत्रित की जायेगी जिस पर अभ्यर्थी अपनी आपत्तियां आन लाइन: प्रस्तुत कर सकते हैं। यदि कोई प्रश्न या उसके सभी उत्तर विकल्प: त्रुटिपूर्ण पाये जाते हैं तो ऐसे प्रश्नों को निरुस्त कर दिया जायेगा और उन निरस्त प्रश्नों के अंकों का वितरण मा० उच्च न्यायालय इलाहाबाद: में रिट याचिका सं0 2669 (एमबी) / 2009 पवन कुमार अग्रहरि बनाम उ०प्र० लोक सेवा आयोग में मा० उच्च न्यायालय द्वारा स्थापित्त व्यवस्था के अनुसार निम्न सूत्र के अनुरूप किया जायेगा :-

सूत्र:- भाग के सही उत्तर X भाग के लिए निर्धारित अंक

भाग में सही प्रश्नों की संख्या

(13) यदि किसी प्रर्शन के एक से अधिक उत्तर विकल्प सही पाये जाते हैं तो ऐसे किसी भी एक सही विकल्प को उत्तर के रूप में अंकित करने पर अभ्यर्थी को पूर्पो अंक प्रदान किये जायेगें किन्तु किसी भी दशा में एक से अधिक विकल्पों को उत्तर के रूप में अंकित करने पर अभ्यर्थी को उस प्रश्न के लिए अंक नहीं दिये जायेगें।"

3. Pursuant to the aforesaid advertisement, the written examination for the recruitment in question was conducted on 14.03.2026 and 15.03.2026. Thereafter, as per Clause-3.1.12 of the advertisement, the provisional answer key was published on 23.03.2026 inviting objections by the candidates between 03.03.2026 to 26.03.2026. Pursuant to the aforesaid notification by the Board, various candidates raised objections to certain questions. Thereafter, the Recruitment Board scrutinized the objections through their own agencies and thereafter unique objections were identified and were sent to the subject experts by its letter dated 13.04.2026 for their opinion along with a reliable reference and sources. The Board identified 32 questions for scrutiny and opinion of the experts along with references and sources was sough. After receipt of

the aforesaid opinion along with references and sources, the Recruitment Board has considered and thereupon the agencies of the Board has also considered and thereafter the answers were placed before the Board Committee. After examination of the objections on the basis of the correct answer determined by the subject experts and the Board Committee, the final answer key was published vide notification dated 07.05.2026 by the Recruitment Board. In Clause-4 of the said notification, it was provided that no further objections will be entertained on the final answer key so published.

4. Thereupon, the result of the written examination was also declared on the same day on 07.05.2026 calling upon about 12,333 candidates were declared qualified in the written examination and they were called for document verification and physical standard test between 15.06.2026 and 17.06.2026 against 4543 posts of Sub-Inspectors and other equivalent posts, which were advertised in the said advertisement. The candidates, who qualified, the document verification and physical standard test, they were further asked to participate in the physical efficiency test between 29.06.2026 and 04.07.2026. Thereupon the final result was declared on 14.07.2026, in which all the petitioners herein could not qualify. Having participated in the entire selection process, various petitioners herein have filed these petitions. There are certain other candidates, who could not qualify in the written examination and consequently were not called for document verification and physical standard test as well as physical efficiency test. Thereupon, the instant petitions have been filed by the petitioners challenging the aforesaid final result so declared by the Recruitment Board on 14.07.2026 by questioning the correctness of the final answer key, which was published on 07.05.2026 raising objections to the correctness of various questions regarding the final answer key.

5. There are two sets of the petitioners before us, one who had raised the objections to the provisional answer key and the

other set of petitioners are in whose favour the answers in the provisional answer key were there. Therefore, there was no occasion for them to raise objection to the provisional answer key. Later, in the final answer key, the answer to those questions has been changed by the Board after consulting the expert opinions on the objection raised by some other candidates.

6. The arguments have been raised on behalf of the petitioners that with regard to a particular question, a final determination has already been made in regard to the earlier recruitment processes of some other recruitment agencies by the Division Bench of this Court, therefore, that final determination be taken as the correct answer. From the perusal of the aforesaid judgments of the Division Bench, it is apparent that those decisions were also taken by the Court on the basis of the expert committee constituted by this Court.

7. Pursuant to the previous order passed by this Court, the counter affidavit has been filed in the lead petition as well as in Writ-A No. 11895 of 2026 on behalf of the respondents.

8. Sri Manish Goyal, learned Additional Advocate General appearing for the respondents has made a statement that these counter affidavits filed in these two petitions be taken as the counter affidavit in all other petitions as well.

9. This Court has given an opportunity and asked the counsel for the petitioners whether they wish to file any rejoinder affidavit to the counter affidavit so filed on behalf of the respondents, all the counsels appearing for the petitioners have unanimously stated at the bar that none of the counsels for the petitioners wish to file any rejoinder affidavit in the instant petitions.

10. In such view of the matter, looking at the nature of case wherein 4543 posts of Sub-Inspectors and other equivalent posts were advertised and the entire selection process has

already been completed except the issuance of the appointment letters, which was stayed by this Court by its earlier order dated on 30.09.2026 without considering the case on merits as despite the matter being time fixed, the adjournment was sought on behalf of the respondents. Today the matter has been heard at length.

11. Learned Senior Counsels appearing on behalf of the petitioners have also raised objections that after the publication of the final answer key, since the certain petitioners did not have any occasion for raising any objection to the provisional answer key as their answers were correct as per the provisional answer key. Therefore, after final publishing the final answer key, no further opportunity has been granted to them.

12. Reliance has been placed in the various judgments of this Court as well as the Apex Court on behalf of the petitioners as well as by the respondents.

13. However on the specific query made by this Court whether the Board had any malafide bias or had adopted any unfair means in while taking the decision with regard to the final answer key, which they have said in the counter affidavit was done after due consultation with the experts on the subject as well as other experts and thereupon, after considering the different opinions, the final decision has been taken by the Board with regard to the correct answers and accordingly the final answer key was published, all the counsels appearing for the petitioners could not raise any voice with regard to the malafide bias or unfair means on the part of the Board.

14. In such view of the matter, without going to the correctness of the particular answer, this Court is of the opinion that there will always be a difference of opinion between different experts, where a question can have more than one answer and no opinion can be said to be a final one. Therefore, it is the Board that is the examining body, which is to take a decision

with regard to the correctness of the answer key after considering all the expert opinions, which in the instant case has been taken by the Board and thereupon the final answer key has been published.

15. In such view of the matter, this Court do not find any illegality in the process adopted by the Board while determining and publishing the final answer key. The arguments that after publishing the final answer key, no further opportunity has been granted by the Board to raise the objection to the final answer key, in the opinion of this Court is wholly a baseless argument, as if such permission is granted, the same will be an endless process and no result can ever be finalized. Whenever the answer key is published, always there will be objections to such answer key.

16. In such view of the matter, this Court do not find any illegality in the entire selection process and the standards as well as the procedure adopted by the Board.

17. Accordingly, all the above writ petitions are **dismissed.**

**October 9, 2026**
Ashish Pd.

**(Anish Kumar Gupta,J.)**

Digitally signed by :-
ASHISH PRASAD
High Court of Judicature at Allahabad