

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (C) No.4937 of 2021**

Shekhar Suman

..... Petitioner.

-Versus-

1. The State of Jharkhand, through its Chief Secretary, Project Bhawan, Dhurwa, Ranchi.
2. The Jharkhand Public Service Commission, through its Secretary, Circular Road, Ranchi.
3. The Examination Controller, Jharkhand Public Service Commission, Circular Road, Ranchi.

..... Respondents.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Rajesh Kumar, Advocate
For the State : Mr. Mohan Kumar Dubey, A.C. to A.G.
For Res. Nos.2 & 3 : Mr. Sanjay Piprawall, Advocate

Order No.05

Date: 25.01.2022

1. This case is taken up through video conferencing.
2. The present writ petition has been filed for quashing and setting aside the provisional result published on 01.11.2021 with respect to the Preliminary Test of Jharkhand Combined Civil Services Examination, 2021 (hereinafter to be referred as 'Examination, 2021') in pursuance of Advertisement No.01/2021 on the ground that there are discrepancies in answer of question nos.3, 7, 9, 49, 67 and 77 of Paper-1 (Set-B) and question nos.53 and 54 of Paper 2 (Set-B). Further prayer has been made for issuance of direction upon the respondents to constitute an independent qualified expert committee of concerned subjects so that answer key relating to question nos.3, 7, 9, 49, 67 and 77 of Paper 1 (Set-B) and question nos.53 and 54 of Paper 2 (Set-B) may be placed for correction. The petitioner has also prayed for issuance of direction upon the respondent nos.2 and 3 to publish results afresh on the basis of corrected answers to be provided by the independent qualified expert committee of concerned subjects and to fix a new date for filling up the forms of mains examination.
3. The factual background of the case, as stated in the writ petition, is that Jharkhand Public Service Commission (JPSC), Ranchi-respondent no.2 published an advertisement being Advertisement No.01/2021 for total 252 vacancies of different services/cadres notified by various departments of Government of Jharkhand for the years 2017, 2018, 2019 and 2020. The petitioner filled online application form on 14.03.2021 for appearing in the preliminary examination and,

accordingly, appeared in the said examination on 19.09.2021. He was provided Set-B in both Paper-1 and Paper-2 examination. The JPSC published model answer key on its official website on 21.09.2021, inviting objections from the candidates till 28.09.2021. The petitioner uploaded his objection to the answer key of question nos. 3, 9 and 67 of Paper 1 (Set B) and question nos.53 and 54 of Paper 2 (Set B) on 27.09.2021 with evidences i.e. NCERT, Bharti Bhavan books, official websites of national & international agencies and report(s) of Government of India & Government of Jharkhand. The petitioner in support of his correct answers also shared the links of all sources. Thereafter, the JPSC published final revised answer key in its official website on 08.10.2021, erroneously changing the answers of question nos.7 and 77 which were correct in the answer key published on 21.09.2021 in Paper-1 of Set-B. Again on 10.10.2021, the JPSC published another correction to its final revised model answer key through press release, whereby it changed the answer of question no.80 in paper 2 Set-B. Thereafter, the JPSC published provisional result of Jharkhand Combined Civil Services Examination (PT) on 01.11.2021.

4. The learned counsel for the petitioner submits that the cut off marks for unreserved category candidate is 260 marks and, as per self evaluation of the petitioner based on the carbon copy of OMR answer sheet against the final answer key published by JPSC, he is short of 6 marks, which equates 3 correct answers only. It is further submitted that the result of PT examination is fit to be set aside, as there is patent and apparent error in the answer key published by the JPSC particularly with respect to 8 questions of papers- 1 and 2 of Set-B which were not corrected despite sufficient evidences provided by the petitioner to the contrary and the same were made the basis of publishing provisional result on 01.11.2021 due to which meritorious candidates including the petitioner have been suffering. It is also submitted that a qualified expert committee should be constituted for correction of erroneous answer key of 8 questions on the basis of the evidences produced by the petitioner.
5. The learned counsel for the petitioner has provided a chart of questions and answers for better appreciation of the claim of the petitioner, which are reproduced herein below:-

Question Nos. Paper-I Set-B	Model Answer key as per 21.09.2021	Revised Answer key as per 08.10.2021	Revised Answer Key as per 10.10.2021	Correct Answer as per the petitioner
3. Which one of the following body is not associated to Bretton Woods institutions? (A) World Bank (B) United Nations (C) World Trade Organization (WTO) (D) International Monetary Fund (IMF)	B	No Change	No Change	Both B and C
7.If the rupees per US Dollar exchange rate changes from Rs. 60 to Rs. 65 in a time period by the market forces, it implies (A) Devaluation of Rupee (B) Appreciation of Rupee (C) No Change in exchange rate (D) Depreciation of Rupee	D	A	No Change	D
9. The speed of light in air depends on (A) Pressure (B) Density (C) It is independent of pressure, temperature and density (D) Temperature	C	No Change	No Change	B
49. When was National Disaster Management Authority formed? (A) 2006 (B) 2008 (C) 2011 (D) 2005	D	No Change	No Change	A
67. The foremost Indo-Roman trading station in Eastern India was: (A) Rajgir (B) Arikamedu (C) Bhagrapir (D) Tamluk	D	No Change	No Change	B
77. Which among the following introduced the Provincial Autonomy in British India? (A) Government of India 1919 (B) Cabinet Mission (C) Simon Commission (D) Government of India Act, 1935	D	A	No Change	D

Question Nos. Paper-II Set-B	Model Answer key as per 21.09.2021	Revised Answer key as per 08.10.2021	Revised Answer Key as per 10.10.2021	Correct Answer as per the petitioner
53. Which of the following bodies is responsible for ensuring resource mobilization and timely delivery of Mitigation and Adaptation plan?	A	No Change	No Change	B

(A) State Steering Committee (B) State Working Committee (C) State Advisory Committee (D) Sectoral Working Groups				
54. National Plan on Climate Change by JAPCC was released on (A) 30 th June, 2007 (B) 30 th June, 2008 (C) 30 th June, 2009 (D) 30 th June, 2006	B	No Change	No Change	All options are wrong

6. On the contrary, learned counsel for the respondent-JPSC submits that the JPSC, after receiving the objections from the candidates, placed the same before the experts of the subjects for consideration and thereafter they made correction in the model answer key, which was also placed on the website of the JPSC for information to the candidates. It is further submitted that for wrong option, full marks have been given to all the candidates. In model answer of general studies Paper-II, amendments were again made by the experts of the concerned subjects and the JPSC after amendment made by them also informed the candidate by way of notice published on its website as well as through press communiqué. After correction in model answer key by the experts of the concerned subjects, the JPSC processed OMR answer sheet through OMR Scanning Machine and prepared the result on the basis of marks secured by the candidates and then the result of preliminary test was published on 03.11.2021. The petitioner who belongs to unreserved category has secured 254 marks, whereas the last successful candidate in unreserved category has secured 260 marks and as such petitioner has not been declared successful in the PT examination. The prayer made by the petitioner is not maintainable in view of the fact that model answers were corrected by the experts of the concerned subjects and on the basis of corrected model answers, the OMR sheets of the candidates were processed through OMR Scanning Machine and, thereafter, result was prepared and published. Subsequent to publication of the PT result on 03.11.2021, the candidates were informed about submission of online application forms for the mains examination from 16.11.2021 till 15.12.2021. Thus, the last date for submission of online application form for main examination is already over. The present writ petition is not maintainable as the petitioner has not been declared successful in P.T. examination. Moreover, the answers provided by the experts of the concerned subjects are binding on all including the JPSC. It is well

settled that a writ Court should refrain from re-evaluating or scrutinizing the answer sheet of a candidate and the said exercise should be left to the experts of the subjects/academicians. It is also submitted that if at all an error is committed by the examination conducting body, all the candidates equally suffer. However, the entire examination process does not deserve to be stalled only because some candidates are disappointed or dissatisfied or they perceive some injustice being caused by an erroneous question/ answer. Though the JPSC has taken all sincere steps/due care for providing correct model answers, yet mathematical precision in providing absolutely correct answer key is almost impossible.

7. Heard the learned counsel for the parties and perused the materials available on record. The petitioner has sought to challenge the result of Jharkhand Combined Civil Services Preliminary Examination, 2021 on the ground that the JPSC wrongly evaluated eight questions of Paper-1 and Paper-2 based on erroneous model answers due to which the petitioner could not be successful in the said examination. In support of the said claim, the petitioner has brought on record the copies of text book materials and other evidences.
8. Learned counsel for both the parties have relied on judgments rendered by the Hon'ble Supreme Court as well as by the Benches of different High Courts. Before coming to the merit of the rival contentions of the parties, it would be appropriate to refer the judgments relied upon by them.
9. The learned counsel for the petitioner puts reliance on the judgment of the Hon'ble Supreme Court rendered in the case of ***Manish Ujwal & Others Vs. Maharishi Dayanand Saraswati University & Others, reported in (2005) 13 SCC 744***, wherein their Lordships having found that six key answers, as provided by the respondent-University were palpably and demonstrably erroneous, ordered for re-evaluation by holding that the student community, whether the appellants or interveners or even those who did not approach the High Court or this Court, cannot be made to suffer on account of errors committed by the University. It has further been held that the University and those who prepare the key answers have to be very careful and abundant caution is necessary in these matters for more than one reasons. First and paramount reason being the welfare of the students as a wrong key answer can result in the merit being made a

casualty. One can well understand the predicament of a young student at the threshold of his or her career if despite giving correct answer, the student suffers as a result of wrong and demonstrably erroneous key answers; the second reason is that the courts are slow in interfering in educational matters which, in turn, casts a higher responsibility on the University while preparing the key answers; and thirdly, in cases of doubt, the benefit goes in favour of the University and not in favour of the students. If this attitude of casual approach in providing key answers is adopted by the persons concerned, directions may have to be issued for taking appropriate action, including disciplinary action, against those responsible for wrong and demonstrably erroneous key answers, but we refrain from issuing such directions in the present case.

10. The learned counsel for the petitioner further puts reliance on the judgment of the Hon'ble Supreme Court rendered in the case of ***Bihar Staff Selection Commission & Others Vs. Arun Kumar & Others, reported in (2020) 6 SCC 362***, wherein it has been held that the scope of judicial review under Article 226 of the Constitution in matters concerning evaluation of candidates particularly for the purpose of recruitment to public services is narrow. In absence of any provision for re-evaluation of answer sheets, judicial review should be exercised only under exceptional circumstance. It has further been held that neither the learned Single Judge nor the Division Bench of the High Court could have substituted its own views for that of the examiners in exercise of powers of judicial review under Article 226 of the constitution of India in purely academic matters. If there were justifiable doubts about the recommendations of the panel of experts, the least that should have been done, was to require BSSC to refer the disputed or doubtful questions to another expert panel. The Hon'ble Supreme Court also observed that the interference by the High Court had not resulted in finalization of the issue, rather had created more uncertainty. Having observed so, the Hon'ble Supreme Court issued direction under Article 142 of the Constitution of India to accept the recommendation made by the Expert Committee appointed by the Supreme Court and to publish the result afresh with a further direction that the appointment already made would not be disturbed.
11. In the case of ***Kanpur University through Vice-Chancellor and others Vs. Samir Gupta & Others, reported in (1983) 4 SCC***

309, as has been relied upon by the learned counsel for the petitioner, the Hon'ble Supreme Court has held that normally the key answers supplied by the paper-setter should be assumed to be correct. However, correctness should be ascertained from standard and prescribed textbooks and not merely on the basis of inferences.

12. In the case of ***Rajesh Kumar & Others Vs. State of Bihar & Others, reported in (2013) 4 SCC 690***, the Hon'ble Supreme Court has held that in case of defect in the answer key, the most natural and logical way of correcting the evaluation of the scripts was to correct the key and get the answer scripts re-evaluated on the basis thereof. There was no compelling reason for directing a fresh examination to be held by the Commission especially when there was no allegation about any malpractice, fraud or corrupt motives that could possibly vitiate the earlier examination to call for a fresh attempt by all concerned.
13. The learned counsel for the petitioner has also relied upon a judgment of learned Division Bench of Madhya Pradesh High Court rendered in the case of ***Ankit Tiwari and Others Vs. High Court of Madhya Pradesh & Another (W.P. No.10070 of 2021 with other analogous matters)***, wherein it has been held as under:-

"12. From the above judicial pronouncements, it is clear that publication of key answers along with the result of the test is desirable in the interest of fairness and that correctness of key answers should be ascertained from the standard and prescribed text books and not merely on the basis of inferences. In a competitive examination candidates cannot be made to suffer on account of the errors committed by the examining body and to avoid any such gross injustice, re-evaluation can be directed. Such re-evaluation and revision on the ground of incorrect model answer key should not be limited only to those candidates who had approached the court but should be extended to all candidates because the fault did not lie with the candidate but with the examining body. If for any justifiable reason some questions are deleted and marks are re-distributed uniformly giving benefit to all the candidates, then the same cannot be said to be arbitrary or irrational. Even if the rules do not permit re-evaluation, the court may permit the same only if it is demonstrated very clearly without any inferential process of reasoning or by process of rationalization, in rare or exceptional cases when material error has been committed."

14. Having expressed the aforesaid view, the learned Division Bench found that as per the material enclosed by the candidates, some of the answers in the model answer key about which the objection was raised were not correct and on the consensus arrived at between the counsel for the petitioners and the counsel for the respondent-High Court, the matter was referred to a Committee for re-examining the model answer key.

15. Learned counsel for both the parties have relied upon the judgment of the Hon'ble Supreme Court rendered in the case of ***Ran Vijay Singh & Others Vs. State of U.P. & Others, reported in (2018) 2 SCC 357***, wherein it has been held as under:-

"30. The law on the subject is therefore, quite clear and we only propose to highlight a few significant conclusions. They are:

30.1. If a statute, Rule or Regulation governing an examination permits the re-evaluation of an answer sheet or scrutiny of an answer sheet as a matter of right, then the authority conducting the examination may permit it;

30.2. If a statute, Rule or Regulation governing an examination does not permit re-evaluation or scrutiny of an answer sheet (as distinct from prohibiting it) then the court may permit re-evaluation or scrutiny only if it is demonstrated very clearly, without any "inferential process of reasoning or by a process of rationalisation" and only in rare or exceptional cases that a material error has been committed;

30.3. The court should not at all re-evaluate or scrutinise the answer sheets of a candidate—it has no expertise in the matter and academic matters are best left to academics;

30.4. The court should presume the correctness of the key answers and proceed on that assumption; and

30.5. In the event of a doubt, the benefit should go to the examination authority rather than to the candidate.

31. On our part we may add that sympathy or compassion does not play any role in the matter of directing or not directing re-evaluation of an answer sheet. If an error is committed by the examination authority, the complete body of candidates suffers. The entire examination process does not deserve to be derailed only because some candidates are disappointed or dissatisfied or perceive some injustice having been caused to them by an erroneous question or an erroneous answer. All candidates suffer equally, though some might suffer more but that cannot be helped since mathematical precision is not always possible. This Court has shown one way out of an impasse — exclude the suspect or offending question.

32. It is rather unfortunate that despite several decisions of this Court, some of which have been discussed above, there is interference by the courts in the result of examinations. This places the examination authorities in an unenviable position where they are under scrutiny and not the candidates. Additionally, a massive and sometimes prolonged examination exercise concludes with an air of uncertainty. While there is no doubt that candidates put in a tremendous effort in preparing for an examination, it must not be forgotten that even the examination authorities put in equally great efforts to successfully conduct an examination. The enormity of the task might reveal some lapse at a later stage, but the court must consider the internal checks and balances put in place by the examination authorities before interfering with the efforts put in by the candidates who have successfully participated in the examination and the examination authorities. The present appeals are a classic example of the consequence of such interference where there is no finality to the result of the examinations even after a lapse of eight years. Apart from the examination authorities even the candidates are left wondering about the certainty or otherwise of the result of the examination — whether they have passed or not; whether their result will be approved or disapproved by the court; whether they will get admission in a college or university or not; and whether they will get recruited or not. This unsatisfactory situation does not work to anybody's advantage and such a state of uncertainty results in confusion being worse confounded. The overall and larger impact of all this is that public interest suffers."

16. The learned counsel for the respondent-JPSC has relied upon the judgment rendered by Three Judges Bench of the Hon'ble Supreme Court in the case of ***Vikesh Kumar Gupta & Another v. State of Rajasthan & Others, reported in (2021) 2 SCC 309***, wherein while referring to the judgment of ***Ran Vijay (Supra.)*** it has been held as under:-

"16. In view of the above law laid down by this Court, it was not open to the Division Bench to have examined the correctness of the questions and the answer key to come to a conclusion different from that of the expert committee in its judgment dated 12-3-2019 [Bhunda Ram v. State of Rajasthan, 2019 SCC OnLine Raj 7416]. Reliance was placed by the appellants on [Richal v. Rajasthan Public Service Commission, (2018) 8 SCC 81]. In the said judgment, this Court interfered with the selection process only after obtaining the opinion of an expert committee but did not enter into the correctness of the questions and answers by itself. Therefore, the said judgment is not relevant for adjudication of the dispute in this case.

17. A perusal of the above judgments would make it clear that courts should be very slow in interfering with expert opinion in academic matters. In any event, assessment of the questions by the courts itself to arrive at correct answers is not permissible. The delay in finalisation of appointments to public posts is mainly caused due to pendency of cases challenging selections pending in courts for a long period of time. The cascading effect of delay in appointments is the continuance of those appointed on temporary basis and their claims for regularisation. The other consequence resulting from delayed appointments to public posts is the serious damage caused to administration due to lack of sufficient personnel."

17. In the case of ***Rakesh Kumar Vs. The State of Jharkhand & Others [W.P.(C) No.1116 of 2017]***, this Court has held as under:-

"19. In the case of Himachal Pradesh Public Service Commission (Supra), which has been relied upon by learned counsel for the petitioner, the Hon'ble Supreme Court has held as under:

"20. In view of the above, it was not permissible for the High Court to examine the question paper and answer sheets itself, particularly, when the Commission had assessed the inter-se merit of the candidates. If there was a discrepancy in framing the question or evaluation of the answer, it could be for all the candidates appearing for the examination and not for respondent no.1 only. It is a matter of chance that the High Court was examining the answer sheets relating to law. Had it been other subjects like physics, chemistry and mathematics, we are unable to understand as to whether such a course could have been adopted by the High Court. Therefore, we are of the considered opinion that such a course was not permissible to the High Court."

20. In the aforesaid case, the Hon'ble Apex Court has held that the High Court cannot sit to examine the question paper or the answersheet, particularly when the Commission had assessed the inter-se-merit of the candidates. In the present case also, if there is any discrepancy in the framing of question, the advantages or disadvantages have accrued to all the candidates. On perusal of the report/opinion of the expert committee, it appears that the answer provided by the Commission was found to be correct in 98 questions out of total of 100 in General Studies Paper-I (Series-A) and General Studies Paper-II (Series-A)."

18. The learned Division Bench of this Court in L.P.A No. 518 of 2017 (Rakesh Kumar Vs. The State of Jharkhand & Others) has also affirmed

the judgment rendered by the Single Judge, holding that all possible cares were taken by the JPSC in publishing revised model answer key for preliminary examination of 6th Combined Civil Services. It ought to be kept in mind that there cannot be any authority which is error-proof. What is to be seen by the Court while exercising powers under Article 226 the Constitution of India is, whether there was any negligent approach on the part of JPSC or examination conducting body. Every small error of Public Service Commission or examination conducting body cannot be used by the candidates for their advantage. Those who are appearing in such type of competitive examinations, ought to keep in mind that objection cannot be raised about correctness of answers, if the answers key/model answers, are prepared on the basis of report given by the Subject Expert Committee. It may appear to a candidate that one or two answers are wrong, but that does not mean that the Court should interfere on the said aspect. Such eventuality has to be faced by all the candidates appearing in competitive examinations. If the Court starts interfering with the answers key / model answers, published by JPSC or the examination conducting body, especially when such answers key / model answers are based upon the report given by the Subject Expert Committee, perhaps no result can be finalized. Interference by the Court in such matter should be extremely rare. It has further been held that though the Court has powers to interfere with the results of JPSC under Article 226 of the Constitution of India, yet such powers are to be exercised sparingly otherwise there will be no end to such type of challenges and every now and then the results are to be revised/ modified leading to a situation that no examination would reach finality.

19. The learned counsel for the respondent-JPSC has put further reliance on the judgment rendered by learned Division Bench of this Court in the case of ***Sonu Choudhary Vs. The State of Jharkhand & Others [W.P.(C) No. 3931 of 2019]***, wherein having relied upon the judgment of the Hon'ble Supreme Court in the case of ***Ran Vijay Singh (Supra.)*** it has been held that the Court has little scope to enter into the issues raised by the writ petitioners, particularly in view of the fact that the Expert Committee has come out with key answers after considering the objections raised by the candidates. Only because the examination relates to the subject of law, it does not mean that the Court should sit over the opinion of the experts on the subject.

Since the Expert Committee has finalized the key answers, there is always a presumption of correctness attached to it and in that view of the matter, it would not be proper for the Court to negate the opinion of the Expert Committee.

20. The learned counsel for the respondent-JPSC has also relied upon the judgment of learned Division Bench of this Court rendered in the case of ***Sachit Kumar Singh & Another Vs. State of Jharkhand & Others [L.P.A No. 297 of 2018]***, wherein while relying upon the judgment of the Hon'ble Supreme Court in the case of ***Ran Vijay Singh (Supra.)*** and ***Vikesh Kumar Gupta (supra.)*** it has been held that even accepting the justification in what has been said by the petitioners/appellants about some discrepancy in the answer sheet, the same applies to all candidates and therefore no prejudice can be said to be caused only to the petitioners/appellants. It has further been held that even if the marks of such questions are added in favour of the petitioners/appellants, the same are also to be awarded to other candidates and in that view of the matter, there will be no material change in the merit list.
21. It thus emerged from the aforesaid judgments that the scope of judicial review under Article 226 of the Constitution of India in the matters concerning re-evaluation of answers on the claim of candidates particularly in public recruitment quite is narrow. The Court should be very slow in interfering with the expert's opinion in academic matters. The Court must maintain internal checks and balances between the examination conducting body and the candidates. The Court should not sit in appeal over the opinion of the experts as it may not have the expertise in the academic matters. No doubt, in exceptional cases, the Court may permit re-evaluation to correct material error if it is demonstrated very clearly without any inferential process of reasoning or by a process of rationalization. However, there should be a self-imposed restraint by the writ court in interfering with the opinion of experts since the candidates in entirety would suffer due to such error. The court should presume the correctness of the answer key and in case of any dispute, the benefit of doubt should go to the examination conducting authority. The learned Division Bench of this Court in the case of ***Rakesh Kumar (Supra.)*** has gone to the extent of observing that small errors of Public Service Commission cannot be utilized by a group of candidates for their advantage. The learned

Division Bench has also held that if the Court starts interfering with the key answers/ model answers published by the JPSC or the examination conducting body, especially when such key answers/ model answers are based upon the report given by the Subject Expert Committee, perhaps no result can be finalized.

22. In the aforesaid judgments cited by both the parties, the Hon'ble Supreme Court has observed that the delay in finalization of appointment to public posts is mainly caused due to pendency of cases challenging the selection which is not in the interest of justice. It also causes damage to the administration due to lack of sufficient personnel and as such the Court should also keep in mind that the appointment process should not be delayed on account of small error of the examination conducting authority. The Court should keep in mind that mathematical precision is not always possible and there is every possibility of error in prolonged examination exercise. It is also possible that most of the candidates may have some grievance against the different sets of questions/answers, and they have their own reasoning/explanation for the claim. Let us assume that all those students rush to the Court with the claims for re-evaluation/reconsideration of the answer key by the expert committee of their choice, then in such situation if the Court sits to examine all those grievances of the candidates, the examination process will not be finalized and all the candidates will be left to in a situation of uncertainty. Thus, this Court is of the view that if the overall conduct of the examining body is found to be fair and reasonable, then the examination process does not require any interference, which otherwise will be in the interest of public at large.
23. The learned counsel for the respondent-JPSC has also challenged the maintainability of the present writ petition on the ground of non-joinder of the necessary parties. It has been submitted that the petitioner has not arrayed the candidates who have been declared successful in the PT examination. He has put reliance on the judgment of the Hon'ble Supreme Court rendered in the case of ***Vishal Ashok Thorat and Others Vs. Rajesh Shirmabapu Fate & Others, reported in 2019 SCC OnLine SC 886.***
24. Be that as it may. In the present case, it appears to the court that after publishing the result of Jharkhand Combined Civil Services Preliminary examination, 2021, the JPSC invited objections from dissatisfied

candidates and sent all such objections to the subject expert committee and thereafter published revised result on 08.10.2021 and 10.10.2021. Thus, this court does not find any infirmity in the process adopted by the JPSC while publishing the result of the said PT examination. Merely because the experts were not of the choice of the petitioner, the same cannot be a ground to doubt the decision of the subject expert committee. Let us assume that if the request of the petitioner is allowed and the decision of a new expert committee is not favorable to some other candidates and they choose to come to the Court seeking appointment of another committee. It will obviously lead to an endless exercise. Thus, to finalize the process of appointment, it is necessary to give due weightage to the process adopted by the examining body and to avoid unnecessary litigations at the instance of dissatisfied candidates. Even if, it is assumed that the revised model answers as pointed by the petitioner are erroneous, then also for the aforesaid reasons, the claim for re-evaluation of answers by an independent expert committee cannot be allowed by this court in exercise of power of judicial review under Article 226 of the Constitution of India. In some of the judgments relied upon by the learned counsel for the petitioner, the Hon'ble Supreme Court, either on undisputed facts or in very exceptional circumstance arising in those cases, has ordered for re-evaluation, however, that being not the position here, the said judgments will not help the case of the petitioner. In the case of **Ankit Tiwary (Supra.)**, the learned Division Bench of Madhya Pradesh High Court, on the basis of a consensus arrived at between the learned counsel for the parties had sent the matter to a committee for re-evaluation. The facts and circumstance of the said case was also different from the case in hand. In the case of **Wajda Tabassum & Others Vs. National Testing Agency & Another [Writ Petition(s) (Civil) No.(s) 1260 of 2021]**, the Hon'ble Supreme Court having observed that the agency which was conducting the examination had got the matter again scrutinized by three subject experts, declined to substitute its own view over the opinion of the experts. In the present case, the objections filed by the candidates were also examined by the subject experts and thus this Court does not find any reason to sit over with the decision of the experts who are the academicians.

25. One of the arguments of the learned counsel for the petitioner is that it was the last attempt of the petitioner. However, this also cannot be a ground seeking interference of this court, since in the case of ***Ran Vijay Singh (Supra.)***, it has been held that sympathy or compassion does not play any role in the matter of directing or not directing re-evaluation of an answer sheet.
26. In view of the aforesaid discussions, this Court does not find it appropriate to entertain the claim of the petitioner so as to interfere with the result of the Preliminary Test of Jharkhand Combined Civil Services Examination, 2021 under extraordinary writ jurisdiction.
27. The writ petition is, accordingly, dismissed.

Sanjay/AFR

(Rajesh Shankar, J.)