

Court No. - 39

Case :- WRIT - A No. - 10620 of 2024

Petitioner :- Sucheta Rai

Respondent :- State Of Up 2 Others

Counsel for Petitioner :- Ankur Azad, Saumitra Anand, Shashwat Anand, Syed Ahmed Faizan, Sr. Advocate

Counsel for Respondent :- C.S.C., M.N. Singh

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Donadi Ramesh, J.

1. Heard learned counsel for the petitioner and Sri Nisheeth Yadav learned counsel for the Uttar Pradesh Public Service Commission and the learned Standing Counsel for the State respondents.

2. Challenge has been raised to the result declared by the UPPSC with respect to U.P. Judicial Service Civil Judge (Junior Division) examination 2022.

3. According to the petitioner, less marks have been awarded to her against her answers written in the main written examination. If one or more mark had been awarded to her, she would have been selected.

4. At the same time, it is an admitted fact that final result was declared on 30.8.2023. Almost 11 months have passed since then. The petitioner had not approached the Court any earlier.

5. We are mindful that at present other challenge are also arising to the same examination involving facts that are getting revealed to the candidates owing to the unilateral decision of the UPPSC inviting all candidates who had appear in the written examination to inspect their answer books by 04.07.2024. That process is still on.

6. At this stage, Sri Nisheeth Yadav learned counsel for the UPPSC states, upon inspection of her answer books on 04.07.2024, the petitioner had expressed her satisfaction and had not raised any objection. Later, she has changed her mind. Accordingly, it has been objected that the present petition has been filed by way of an afterthought.

7. In view of the public notification dated 14.6.2024 issued by the UPPSC with respect to the above noted fact and the further stand of the UPPSC that it will redress all grievances that may arise (at the end of the inspection of the answer books by the candidates) by 30.8.2024, no case is made out for grant of interim stay both for reason of delay and in view of the decision made by the UPPSC vide its public notice dated 14.6.2024.

8. Accordingly, Civil Misc. Stay Application No. 01 of 2024 is rejected.

9. All respondents are represented. They pray and are granted six weeks' time to file counter affidavit. Petitioner shall have two weeks thereafter to file rejoinder affidavit.

10. Connect and list with **Writ-A No. 10557 of 2024 (Minakshi v. State of U.P. and 2 others)** in the week commencing 16.9.2024 showing the name of Sri Nisheeth Yadav also as learned counsel for the respondents.

Order Date :- 24.7.2024
SA

(Donadi Ramesh, J.) (S.D. Singh, J.)