

ITEM NO.12

COURT NO.12

SECTION XV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 8128-8129/2022
@ D. No. 12639/2022

(Arising out of impugned final judgment and order dated 12-04-2022
in DBCWP No. 4676/2022 08-04-2022 in DBCWP No. 2253/2022 passed by
the High Court Of Judicature For Rajasthan At Jaipur)

KOMAL SONI

Petitioner(s)

VERSUS

THE HIGH COURT OF JUDICATURE FOR RAJASTHAN & ANR. Respondent(s)

(FOR ADMISSION and I.R. and IA No.62823/2022-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT and IA No.62822/2022-EXEMPTION FROM
FILING O.T. and IA No.62821/2022-PERMISSION TO FILE PETITION (SLP)

WITH

SLP(C) No. 7820-7823/2022 (XV)

(FOR ADMISSION and I.R. and IA No.63221/2022-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT)

Date : 28-04-2022 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Ms. Shobha Gupta, AOR
Mr. Vidit Agarwal, Adv.
Mr. Nishant Bahuguna, Adv.
Mr. Rajendra Panigrahi, Adv.
Ms. Sakshi Tiwari, Adv.
Ms. Prachi Sharma, Adv.
Mr. Shubham Jalan, Adv.

Mr. Sarthak Ghonkrokta, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Permission to file the Special Leave Petition(s) is granted.

We have heard the learned counsel appearing for the respective
petitioners at length.

Learned counsel for the respective petitioners have pointed
out the hardships which may be caused to the individual

petitioners. It is their case that the respective petitioners will be short by only 1-3 marks. However, considering the individual hardships, the grace marks, as prayed, cannot be allowed.

In the present case, there were some discrepancies in some of the questions and the answers found and therefore the matter was referred to the Expert Committee. The Expert Committee submitted the report and proposed the deletion of four questions. Therefore, when a conscious decision was taken thereafter by the High Court, relying upon the report submitted by the Expert Committee, and the four questions were deleted, we see no reason to interfere with the same. The objections raised by the individuals have been dealt with *in extenso* by the Expert Committee and only thereafter it was suggested to delete four questions.

In that view of the matter, as such, we see no reason to interfere with the impugned judgment and order(s) passed by the High Court. The Special Leave Petitions stand dismissed.

However, before parting, we may caution the High Court that in future whenever the examination of the Civil Judges is conducted, great care and caution should be taken by the High Court and by the Settler of the examination papers and also the answer keys so that the situation which has arisen in the present year and which had occurred in the earlier examinations also may not occur and the candidates, who are aspiring for the post of Civil Judge, may not have to suffer.

We direct the Registry to send a copy of this order to the Registrar General of the High Court, who shall place this order before the Chief Justice of the Rajasthan High Court as well as

before the Chairman of the Recruitment Committee so that such occurrence may not happen again in future and the candidates are not put to any difficulty.

Pending applications stand disposed of.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
BRANCH OFFICER