

GAHC010008302025



2026:GAU-AS:10729

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/280/2025

PARTHA SARATHI SHILL
S/O SHRI BASUDEV SHILL, R/O VILL- LANKA, P.O.-LANKA, DIST- HOJAI,
ASSAM-782446

VERSUS

THE UNION OF INDIA AND 8 ORS
REPRESENTED BY THE COMMISSIONER AND SECRETARY TO GOVT. OF
INDIA, MINISTRY OF HOME AFFAIRS, NEW DELHI-110001

2:THE STAFF SELECTION COMMISSION (SSC)
REPRESENTED BY THE CHAIRMAN/SECRETARY
STAFF SELECTION COMMISSION
BLOCK-12
CGO COMPLEX
LODHI ROAD
NEW DELHI-110003

3:THE REGIONAL DIRECTOR (NER)
STAFF SELECTION COMMISSION
RUKMINI NAGAR
P.O.-ASSAM SACHIVALAYA
GUWAHATI-06

4:THE DIRECTOR GENERAL
BORDER SECURITY FORCE (BSF)
BLOCK NO. 10
LODHI ROAD
PRAGATI VIHAR
NEW DELHI-110003

5:THE DIRECTOR GENERAL

CENTRAL INDUSTRIAL SECURITY FORCE (CISF)
BLOCK NO. 13
CGO COMPLEX
NEW DELHI-110003

6:THE DIRECTOR GENERAL
CENTRAL RESERVE POLICE FORCE (CRPF)
CGO COMPLEX
LODHI ROAD
NEW DELHI-110003

7:DIRECTOR GENERAL
ASSAM RIFLES
NONGRIMMAW
LAITUMUKHRAH
GORALINE SHILLONG
MEGHALAYA-793011

8:DIRECTOR GENERAL
INDO TIBETAN BORDER POLICE (ITBP)
BLOCK NO. 10
CGO COMPLEX
LODHI ROAD
NEW DELHI-110003

9:DIRECTOR GENERAL
SHAHASRA SEEMA BAL (SSB)
5-6
VIVEKANANDA MARG
EAST BLOCK
R.K. PURAM
NEW DELHI-11002

Advocate for the Petitioner : MR. R MAZUMDAR, MR. D DEKA

Advocate for the Respondent : DY.S.G.I., MRS S BARUAH (C.G.C),MR. D DEKA

:::BEFORE:::

HON'BLE MR. JUSTICE KAUSHIK GOSWAMI

Date of hearing : 31/07/2026

Date of Judgment : 31/07/2026

JUDGMENT & ORDER (ORAL)

Heard Mr. D. Deka, learned counsel appearing for the petitioner. Also heard Mrs. S. Baruah, learned CGC appearing for the respondents.

2. The brief facts of the case are that, pursuant to an Advertisement dated 27.10.2022 issued by the Staff Selection Commission inviting applications for recruitment to 24,369 posts of Constable (General Duty) in different Central Armed Police Forces for the recruitment year 2022, the petitioner submitted his candidature and participated in the selection process. It is the case of the petitioner that he successfully qualified the various stages of the recruitment process, including the requisite medical examination. However, he was ultimately not selected as his score fell short of the prescribed cut-off by 2½ marks, which were deducted on account of his answer to Question No. 8 being treated as incorrect.

The specific grievance of the petitioner is that the answer key published by the Staff Selection Commission in respect of Question No. 8 is erroneous. According to the petitioner, although he had correctly answered the said question, he was denied the marks solely because of an incorrect answer key, thereby depriving him of selection. The question in issue reads as follows:

“What is the maximum length of the touch line in a football match?”

1. 100 m

Question ID: 26433090753

2. 110 m

Status: Answered

3. 120 m

Chosen Answer: Option No. 3 (120 m)

4. 90 m”

3. The final answer key published by the Staff Selection Commission treats Option No. 2 (110 m) as the correct answer. The petitioner, however, contends that the correct answer is Option No. 3 (120 m), as prescribed under the Laws of the Game issued by the International Football Association Board (IFAB). According to the petitioner, despite submitting objections through the prescribed online

mechanism as well as subsequent representations, the respondents failed to rectify the error. It is contended that had the petitioner been awarded the marks for the aforesaid question, he would have secured marks above the cut-off and consequently would have been selected.

4. Mr. D. Deka, learned counsel for the petitioner, submits that the Laws of the Game issued by the International Football Association Board clearly prescribe that the maximum length of the touch line in a football match is 120 metres (130 yards). It is submitted that only in respect of international football matches is the maximum touch line prescribed as 110 metres (120 yards). Since the question merely referred to “a football match” without restricting it to an international football match, the only correct answer was 120 metres.

Learned counsel further submits that the answer key published by the Commission is demonstrably incorrect and falls within the limited category of cases where judicial interference is permissible. In support of his submissions, reliance has been placed upon the decisions of the Apex Court in **Kanpur University through Vice-Chancellor v. Samir Gupta**, reported in **(1983) 4 SCC 309**, the judgment of the Division Bench of this Court in **Baranyamoy Sarma v. Gauhati High Court**, WP(C) No. 5361/2025, as well as the decision of the coordinate Bench in **Dilip Das & Another v. Union of India & Others**, reported in **2023 Supreme (Online)(GAU) 8031**.

5. Per contra, Mrs. S. Baruah, learned Central Government Counsel, submits that the tentative answer key was published on 18.02.2023, wherein Option No. 2 was shown as the correct answer. Candidates were afforded an opportunity to submit objections. It is submitted that all objections received were referred to subject experts, who examined the same and recommended the final answer key. Since the final answer key was approved by experts, judicial interference, according to the learned CGC, is unwarranted.

It is further submitted that the Commission has acted strictly in accordance with the recruitment rules and settled procedure governing competitive examinations.

6. I have considered the submissions advanced by the learned counsel appearing for the parties and carefully perused the pleadings and the materials placed on record. I have also examined the authorities cited at the Bar.

7. The short question which arises for determination is whether the answer furnished by the petitioner to Question No. 8 has been wrongly treated as incorrect by the respondents.

There can be no quarrel with the settled proposition that while exercising jurisdiction under Article 226 of the Constitution, this Court does not sit in appeal over the opinion of experts. Ordinarily, the correctness of an answer key prepared by subject experts is entitled to judicial deference and should be presumed to be correct.

However, such deference is not absolute. Where it is demonstrated on the basis of authoritative and indisputable material that the answer key is palpably erroneous, and that no reasonable person possessing expertise in the subject would regard the prescribed answer as correct, judicial review would not be excluded. Equally well settled is the principle that an answer in an objective examination ought not to be declared incorrect by resorting to inferential reasoning or rationalisation. Interference is justified only where the error is manifest and admits of no reasonable controversy.

8. The aforesaid principle was authoritatively laid down by the Apex Court in **Kanpur University** (supra), wherein it was observed:

“The key answer should be assumed to be correct unless it is proved to be wrong and it should not be held to be wrong by an inferential process of reasoning or by a process of rationalisation. It must be clearly demonstrated to be wrong, that is to say, it must be such as no reasonable body of men well versed in the particular subject would regard as correct.”

The said principle has consistently guided the exercise of judicial review in matters relating to evaluation of objective-type examinations.

9. The Division Bench of this Court in **Baranyamoy Sarma** (supra) reiterated that although Courts ordinarily refrain from interfering with answer keys prepared by experts, interference is nevertheless permissible where the prescribed answer is demonstrably and palpably incorrect. The Division Bench further observed that where an ambiguity in a question results in prejudice to candidates, the Court is not powerless to grant appropriate relief.

10. Keeping the aforesaid principles in view, this Court proceeds to examine the question in issue.

The question simply asks: “What is the maximum length of the touch line in a football match?”

Significantly, the question does not state that it relates to an international football match.

11. The petitioner has placed on record extracts from the Laws of the Game issued by the International Football Association Board (IFAB) for different years, including the editions of 2016–17, 2018–19 and 2024–25. A perusal of the said rules unmistakably reveals that the Laws of the Game prescribe two distinct sets of dimensions. In respect of football matches generally, the maximum permissible length of the touch line is 120 metres (130 yards). However, in respect of international football matches, the maximum permissible length is 110 metres (120 yards).

12. The distinction is explicit and leaves no scope for ambiguity. Had the examining authority intended to test the dimensions applicable exclusively to international football matches, it was incumbent upon it to frame the question accordingly. The expression employed in the question is “a football match”, which is general in nature and cannot, by implication, be restricted to international football matches.

13. The mere fact that 110 metres also appeared as one of the answer options cannot justify treating it as the only correct answer. The ambiguity, if any, arose solely because the question omitted to specify that it related to international football matches. In such circumstances, a candidate answering the question with reference to the general Laws of the Game cannot be penalised.

14. In fact, during the course of hearing, Mrs. S. Baruah, learned Central Government Counsel, fairly submitted that under the general Laws of the Game, the maximum length of the touch line is indeed 120 metres, and that the figure of 110 metres applies only to international football matches. The said concession reinforces the conclusion that the answer adopted by the Commission proceeds upon an assumption which is not reflected in the wording of the question itself.

15. Accordingly, this Court is of the considered opinion that the answer furnished by the petitioner, namely 120 metres, is the correct answer to the question as framed, and the contrary answer adopted by the respondents cannot be sustained.

16. It is not in dispute that the petitioner had submitted objections to the tentative answer key through the online portal on 21.02.2023 and thereafter submitted a representation dated 27.12.2024. The respondents have not shown that the specific grievance raised by the petitioner received any reasoned consideration.

17. The materials placed before this Court further reveal that the petitioner secured 65.32908 marks in the Computer Based Examination against the cut-off of 67.08295 marks prescribed for the OBC category in ITBP. If 2½ marks are awarded to the petitioner for Question No. 8, his total score would stand revised to 67.82908, which is admittedly above the prescribed cut-off.

In such circumstances, the petitioner has succeeded in demonstrating that he has suffered prejudice solely on account of an erroneous answer key.

18. In view of the foregoing discussion, this Court is of the considered opinion that the petitioner has been illegally denied 2½ marks in respect of Question No. 8 on the basis of an erroneous answer key. Had the said marks been awarded, the petitioner's total score would have stood enhanced to 67.82908, which is admittedly higher than the cut-off marks prescribed for the OBC category in ITBP. Consequently, the petitioner was unjustly deprived of selection solely on account of an error attributable to the respondents.

19. The mere fact that the recruitment process has since concluded cannot be permitted to defeat the legitimate claim of the petitioner. The respondents cannot derive any advantage from an error committed by them in prescribing an incorrect answer key. Once this Court has arrived at the conclusion that the petitioner had furnished the correct answer and was wrongly denied the marks due therefor, the petitioner is entitled to be restored, as nearly as possible, to the position in which he would have been had such error not occurred. Any other view would amount to perpetuating an illegality and rewarding the respondents for their own mistake.

20. Accordingly, the respondents are directed to revise the petitioner's result by awarding 2½ marks in respect of Question No. 8 and to treat the petitioner as having qualified in the recruitment process. Since, upon such revision, the petitioner admittedly secures marks above the prescribed cut-off, the respondents shall take consequential steps for appointment of the petitioner to the post of Constable (General Duty) in the Central Armed Police Forces or Rifleman (General Duty) in Assam Rifles, as the case may be.

21. In the event no vacancy pertaining to the recruitment in question is presently available on account of completion of the recruitment process, the respondents shall consider and pass appropriate orders for accommodating the petitioner, including by creation of a supernumerary post, if permissible under the applicable statutory provisions, rules and executive instructions governing the field, so that

the petitioner is not denied appointment solely on account of the erroneous answer key published by the respondents.

22. The aforesaid exercise shall be completed within a period of three months from the date of receipt of a certified copy of this judgment.

23. With the above observation and direction, the instant writ petition stands disposed of.

JUDGE

Comparing Assistant