



for the post of Assistant Professor (College Cadre) Hindi against advertisement 52/2024, dated 02.08.2024, to the extent answers of thirteen disputed questions bearing no.2, 22, 34, 35, 44, 56, 57, 58, 60, 68, 78, 93 and 100 are concerned.

2. Learned counsel for the petitioner(s) contend that the petitioners are the applicants for the post of Assistant Professor Hindi and have appeared for the Screening Test held on 10.08.2025. The Commission initially released standard answer key for the test on 11.08.2025, Annexure P-3, and the final answer key on 23.08.2025, Annexure P-4. However, without citing any reason the answer key was withdrawn, and the impugned revised final answer key was released on 08.09.2025. The petitioners are aggrieved against answers of thirteen aforementioned questions of the impugned answer key, some of which are stated to be out of syllabus. The selection process is vitiated by arbitrariness, that is the reason multiple answer keys have been issued changing the answers to different questions time and again which has caused serious prejudice to the petitioners. The correct answers of original answer keys were changed or a few of the questions were dropped altogether, which is inexplicable. Learned counsel have also referred to extracts of certain books on record to demonstrate that some of the answers are palpably wrong, viz., *Bhaasha Vigyan* by Dr. Bholanath Tiwari, with regard to question no.2; *Bharatdurdasha* by Bhartendu Harishchandra, with regard to question no.56, and *Ek Sahityik Kee Diary* by Gajanan Madhav Muktibodh, with regard to question no.68. In support of the contentions, reliance has been placed on the law laid down in *Kanpur University, through Vice-Chancellor and others v. Samir Gupta and others*, (1983) 4 SCC 309, and *Siddhi Sandeep Ladda v.*



Consortium of National Law Universities and another, 2025 SCC Online SC 1144.

3. *Per contra*, learned counsel for the Commission contends that utmost care has been taken in dealing with objections to the answer key, and every concern of the candidates/objectors has been addressed. To explain further, he contends that the Screening Test was conducted on 10.08.2025, and the first answer key was uploaded on 11.08.2025, inviting objections from the candidates. The objections received were sent to the subject experts; and as per their advice, answers to twelve questions were changed and five questions were deleted in the final answer key uploaded on 23.08.2025. Still, the candidates kept on representing to the Commission, raising objections to some of the questions in the final answer key. In all fairness to the candidates and to provide redressal to their grievances once again, it was decided to send the objections to subject experts for a second opinion. Accordingly, the objections received were sent to the experts again, and as per their report ambiguities were detected only in two questions which were deleted, and final result was announced on 11.09.2025. Therefore, there is no basis for the allegations levelled against the Commission and the entire examination has been conducted in a fair and just manner, giving due consideration to the interests of the candidates.

3.1. Learned counsel for the Commission has produced two experts' reports in a sealed cover. Perusal of the first one shows, it has been prepared by a panel of two subject experts holding the post of Professor in two different universities. They have examined all objections raised by the petitioners herein, along with other objections, and have given reasons for their recommendations. Perusal of the second report showed that apart from the



earlier two experts, a third subject expert was also added to the panel who had been Professor in a university. The objections to all the questions aforementioned have again been examined by this panel, and it has also given reasons for the recommendations, wherever thought necessary. The reports have been re-sealed and returned to learned counsel for the Commission.

4. Submissions made by learned counsel for the parties have been considered.

5. It is apparent from the facts enumerated above that after conduct of Screening Test for the post in question on 10.08.2025, the Commission invited objections to the answer key which was uploaded on 11.08.2025. The objections received were duly considered by a panel of two subject experts who held senior academic positions in two different universities, and the final answer key was published/uploaded based upon their advice on 23.08.2025. Since the candidates were still not satisfied and had been persisting with their representations/objections, the Commission decided to take second opinion of the experts on the objections, and the same were sent to the subject experts again. This time the panel consisted of three experts; apart from the two who were originally there, a third one was also included. The objections were again examined and based upon experts' advice, the impugned revised answer key was uploaded on 08.09.2025, deleting two more questions.

6. This Court finds no reason to differ with the view taken by the subject experts after examining their reports, as there is no *mala fide* alleged or arbitrariness noticed in the entire exercise. Their recommendations are based upon reasons. The Commission has acted in a reasonable and fair manner in sending the objections to the subject experts, and declaring final answer key as well as the result only as per their recommendations. This Court



finds no justifiable or compelling reason to go into the validity of some of the answers disputed by learned counsel for the petitioner(s) on the basis of extracts of certain books appended to the petition; nor does it possess the domain knowledge to undertake the exercise. Also, there is no reason to doubt the advice of senior academicians, having expertise in the subject, who have examined the objections. Accordingly, no exception can be taken to the procedure followed by the Commission in declaring/revising the answer key for the Test.

7. The judgments referred to by learned counsel for the petitioner(s) have no application to the facts of the instant case. In *Kanpur University case (supra)*, the Supreme Court has observed that, *'the key answer should be assumed to be correct unless it is proved to be wrong and that 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 contention of the University is falsified in this case by a large number of acknowledged text-books, which are commonly read by students in U.P. Those text-books leave no room for doubt that the answer given by the students is correct and the key answer is incorrect'*. Such a situation does not arise in the instant case; rather, the body of experts well versed with the subject has already opined twice over that the answers are correct. Besides, the books referred to by learned counsel for the petitioner(s) are not shown to be the acknowledged text books. Also, the information/facts mentioned therein which have been relied upon by the petitioners are not annotated, disclosing its source. This information, on being juxtaposed with the advice of subject experts, who are senior academicians,



loses significance in the context of deciding the issue at hand. Therefore, the Court is inclined to go with the advice offered.

7.1. The other judgment relied upon by learned counsel for the petitioner(s) in *Siddhi Sandeep Ladda* case (supra) is also besides the point, as the Supreme Court therein interfered in the matter on finding that the academicians themselves acted in a manner adversely affecting career aspirations of lakhs of students. Such a situation does not even remotely arise in the instant case; nor is there any allegation so far as conduct of the experts' body is concerned.

8. Besides, the view taken by this Court is similar to the one taken in CWP No.17356 of 2025 titled *Anshu v. State of Haryana and others*, which has been upheld by the Division Bench in LPA No.2392 of 2025, vide judgment dated 29.08.2025, by referring to observations by the Supreme Court in *Ran Vijay Singh and others v. State of Uttar Pradesh and others*, (2018) 2 SCC 357, which are as under:

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.

9. In view of the discussion above, finding no merit in the petitions, the same are dismissed.



10. A photocopy of this judgment be also placed on the connected case file.

(TRIBHUVAN DAHIYA)
JUDGE

30.09.2025
Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No