

GAHC010010822018



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

**Case No. : WP(C) 375/2018**

1:DIKSHITA CHOUDHURY  
W/O- SRI PRASANTA DAS, R/O- 1 NO. GALIAHATI, NEAR PRAGATI  
SANGHA, P.O. AND P.S. BARPETA, DIST- BARPETA, (ASSAM),

VERSUS

1:THE STATE OF ASSAM  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,  
DISPUR, GHY-6

2:THE SECRETARY  
TO THE GOVT. OF ASSAM  
DEPTT. OF PERSONNEL (B)  
ASSAM SECRETARIAT  
DISPUR  
GHY-6###

3:THE ASSAM PUBLIC SERVICE COMMISSION (APSC)  
REPRESENTED BY ITS CHAIRMAN/CHAIRMAN-IN-CHARGE  
JAWAHAR NAGAR  
KHANAPARA  
GHY-22###

4:THE SECRETARY  
ASSAM PUBLIC SERVICE COMMISSION (APSC)  
JAWAHAR NAGAR  
KHANAPARA  
GHY-22###

5:THE PRINCIPAL CONTROLLER OF EXAMINATION  
ASSAM PUBLIC SERVICE COMMISSION (APSC)  
JAWAHAR NAGAR  
KHANAPARA  
GHY-22##

**Advocate for the Petitioner** : MR. U B SARMA

**Advocate for the Respondent** : GA, ASSAM

**BEFORE  
HON'BLE MR. JUSTICE HRISHIKESH ROY**

**29-01-2018.**

The petitioner as a General Category Lady candidate, appeared in the *Combined Competitive (Preliminary) Examination*, 2016, conducted on 2.7.2017, by the Assam Public Service Commission (APSC). She opted for Indian History as her optional subject and took the examination in History and in General Knowledge, along with other Civil Service aspirants.

The cut off mark for general category (female) was *257 marks* but the petitioner could secure only *235 marks*, as per the result declared on 25.10.2017 and hence, she failed to qualify for the mains examination.

Dissatisfied with the answer keys, uploaded by the APSC, the petitioner applied under the *Right to Information Act* and the APSC furnished the details on 11.12.2017, indicating the cut off marks and other information.

The learned counsel Mr. U.B. Sarma submits that the uploaded answer keys show that, some wrong answers were shown to be correct. The candidate therefore expects atleast 26 additional marks to her aggregate score and on that basis, she hopes to be cleared for the mains examination.

With the above projection, the candidate has applied for *re-evaluation* of the answers to certain questions in the History and General Studies paper. In the meantime, the petitioner has sought for deferment of the *Combined Competitive (Main) Examination*, scheduled on 6.2.2018 onwards.

The APSC is represented by the learned counsel Mr. C. Baruah and he submits that when the results were declared in October, 2017 and the answer keys were uploaded prior to declaration of the result, the candidate should have approached the Court much earlier. He further submits that in order to address the grievance of one candidate, the postponement of the Civil Service Examinations of the APSC, would hardly be justified.

In view of above, let notice returnable in 4 weeks be issued.

Mr. S.S. Roy, the learned Govt. Advocate, accepts notice for respondent Nos.1 & 2. Mr. C. Baruah, the learned standing counsel for the APSC, accepts notice for respondent Nos.3—5. Necessary extra copies be furnished to both lawyers.

Considering the submission of the rival counsel, the Court is disinclined to order the postponement of the *Combined Competitive (Main) Examination*, scheduled to be started on 6.2.2018. The interim prayer is thus rejected.

**JUDGE**

**Comparing Assistant**