

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 13483/2023

Nikhil Kumar Gurjar S/o Shri Lal Chand Gurjar, Aged About 29 Years, R/o Village Teekampura, Post Khanpur Klan, Tehsil Jamwaramgarh, District Jaipur (Raj.).

----Petitioner

Versus

1. The State Of Rajasthan, Through Its Principal Secretary, Department Of Panchayati Raj Department (Elementary Education), Government Of Rajasthan, Secretariat, Jaipur (Raj.).
2. The Director, Department Of Elementary Education Rajasthan, Bikaner (Raj.).
3. The Rajasthan Staff Selection Board, Through Its Secretary, State Institute Of Agriculture Management Premises, Durgapura, Rajasthan, Jaipur - 302018.

----Respondents

For Petitioner(s) : Mr. Akshit Gupta for Mr. Vigyan Shah
For Respondent(s) : Mr. Nalin G. Narain, AGC

**HON'BLE MR. JUSTICE ANOOP KUMAR DHAND
Order**

22/12/2023

1. Learned counsels appearing for the parties fairly submit that the controversy involved in the present writ petition is squarely covered by the order passed by this Court vide order dated 28.11.2023 in **S.B. Civil Writ Petition No.18767/2023**

"Karishma & Ors. Vs. The Director of Primary Education, Bikaner & Ors." alongwith other connected matters.

2. In case of **Karishma (supra)** this Court has observed as under:-

"8. In case of **Raman Choudhary (supra)** the Co-ordinate Bench of this Court at Principal Seat, Jodhpur has observed as under:-

"In view of the discussions made above, the present writ petitions are disposed of with a directions to the respondents to refer the questions mentioned in these writ petitions to the experts appointed by them (other than those who had already finalized the objections to the preliminary answer key dated 18.03.2023). The expert body, while re-examining the matter, shall take into account the submissions made in the present writ petitions and thereafter pass appropriate orders with respect to the adjudication made by them on the objectionable questions raised in these writ petitions. The said exercise of examination by the expert body shall be completed within a period of four weeks from today and if the respondents find the report of the expert committee giving any change to the answers adjudicated by them in the final answer key, they will take the appropriate measures for revising the result.

Needless to say, if the petitioners come in the merit after revision of there sult, appropriate action will be taken for processing their case for appointment.

It is also made clear that question Nos.3, 27 & 50 of the Master Question Paper need not be sent to the expert body for re-examination."

9. In view of the above, this Court disposes off these writ petitions with liberty to the petitioners to submit the representation detailing out their specific objections as has been stated in the writ petitions, to the respondents within fifteen days from today. The respondents on receipt of the representation, shall refer the questions mentioned in the representation to the experts appointed by them (other than those who had already finalized the objections to the preliminary answer key dated 18.03.2023). The Expert Body, while re-examining the matter, shall take into account the averments made in the representation and thereafter, pass appropriate order in respect to the adjudication made by them on the objectionable

questions raised in these writ petitions and submit before the respondents by filing the representation. The said exercise of examination by the Expert Body shall be completed within a period of six weeks from today and if the respondents find the report of the Expert Committee giving any change to the answers adjudicated by them in the final answer key, they will take the appropriate measures for revising the result.

10. Needless to say, if the petitioners come in the merit after revision of the result, appropriate action will be taken for processing their case for appointment.

11. It has been brought to the notice of this Court that the RSSB has already made recommendation to the State Government forgiving appointment to the selected candidates on the post of Teacher Grade-III Level-II in various subjects. The respondent-State shall make a mention in the appointment orders to be issued about the order of re-examination of the answer key and in case the result is revised and any person who has also been given appointment prior to the revision of the result, does not find place in the revised merit list, the appointment given to him before revised result will not create any right in his favour to continue."

4. Considering the submissions made by counsels for the parties, instant writ petition stands disposed of in terms & conditions as given in case of **Karishma (supra)** with a modification that the petitioner may submit his representation within ten days from today.

5. Since the main petition has been disposed of, the stay application and all pending applications, if any, also stand disposed of.

(ANOOP KUMAR DHAND),J