

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 13582/2020

(Arising out of impugned final judgment and order dated 14-10-2020 in WA No. 641/2019 passed by the High Court Of Orissa At Cuttack)

JITENDRA PALAI

Petitioner(s)

VERSUS

THE STATE OF ODISHA & ORS.  
(FOR I.R. )

Respondent(s)

Date : 20-11-2020 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ASHOK BHUSHAN  
HON'BLE MR. JUSTICE R. SUBHASH REDDY  
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. Avijeet Pattnaik, Adv.  
Mr. Sarvavid Pradhan, Adv.  
Mr. Anirudh Sanganeria, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

This special leave petition has been filed against the judgment and order dated 14.10.2020 passed by the High Court in W.A. No. 641/2019.

The Division Bench in para 15 of the impugned judgment has observed that:

".....The Review Committee further suggested that credit shall be given to the candidates by applying P/Q method for the above mentioned 11 questions. Furthermore, the modified and corrected answer keys for all the questions in subject History was also issued by the Committee. In view of the said report of the Review Committee, the SSB decided that full credit shall be given in case of 11 questions in subject History for all the candidates who appeared in the written examination. The modified and corrected answer keys

furnished by the Review Committee in respect of subject History was accepted by the SSB for necessary follow up action, consequentially evaluation was undertaken. The SSB fervently contended that in view of all these steps undertaken; the examination so conducted should not be cancelled. The records reveal that Review Committee had properly scrutinized the question paper and answer key and opined the necessary requirements. Therefore, a direction to the SSB to strictly follow the guidelines provided by the Review Committee, instead of a direction to conduct a re-examination, may be more prudent and appropriate in the present case."

Para 20 of the impugned judgment reads as under:

"In view of the above discussion, we are inclined to set aside the impugned judgment dated 03.12.2019 passed by the learned Single Judge in W.P. (C) No. 11094 of 2019 and allow the present writ appeals.

However, the SSB is at liberty to declare the results by preparing a fresh merit list of candidates in accordance with the report of the Expert Committee and recast the merit list on the basis of marks secured by them as per the modified process and procedure.

The writ appeals are accordingly disposed of."

The order passed by the High Court does substantial justice with all the candidates who appeared in the examination. The directions passed in the order of the High Court take care of the grievances raised in the special leave petition. We, thus, are of the view that the special leave petition need not be entertained.

The special leave petition is accordingly dismissed. We, however, observe that the State Selection Board shall act as per observations in the judgment of the High Court dated 14.10.2020.

Pending application, if any, stands disposed of.

(MEENAKSHI KOHLI)  
ASTT. REGISTRAR-cum-PS

(RENU KAPOOR)  
COURT MASTER