



2026:CGHC:36885



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPS No. 65 of 2020**

Peeyoosh Tiwari, D/o. Shri Bhagwan Prasad Tiwari, Aged About 30 Years, R/o. Shikshak Colony, Ward No. 01, Sarangarh, District : Raigarh, Chhattisgarh

... Petitioner**versus**

1 - State Of Chhattisgarh, Through The Secretary, School Education Department, Mantralaya, Mahanadi Bhawan, Naya Raipur, District : Raipur, Chhattisgarh

2 - Director, Directorate Of Public Instruction, Indrawati Bhawan, Atal Nagar, Raipur, District : Raipur, Chhattisgarh

3 - Chhattisgarh Professional Examination Board, Through Its Controller Of Examination, Shailendra Nagar, Raipur, District : Raipur, Chhattisgarh

... Respondents

For Petitioner	:	Ms. Apoorva Pandey, Advocate
For Respondents No.1 & 2	:	Mr. Amit Buxy, Dy. Govt. Advocate
For Respondent No.3	:	Dr. Saurabh Kumar Pande, Advocate



(Single Bench)
Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

18.08.2026

1. The petitioner, in this writ petition, has sought a relief to direct the respondents to re-examine the petitioner's answers No. 10, 46, 52, 68 & 148 with respect to Set- C or in alternative get the model answer re-examined and prepare the final answer and the merit list be published and proceed accordingly.
2. Ms. Apoorva Pandey, learned counsel appearing for the petitioner, submits that in the first model answer with regard to Question Nos. 10, 68 & 148, the answer given by the respondents in the first model answer were correct and the petitioner also gave the same answers. However, for the same questions the answers were changed in the final model answer and question No.148 was deleted. She further submits that total 5 questions and their answers were wrongly considered by the respondent Examination Board and are required to be duly corrected upon proper consideration of the answers marked by the petitioner and the supporting material placed on record.
3. Dr. Saurabh Kumar Pande, learned counsel for the Chhattisgarh Professional Examination Board, would submit that the Claims &



Objections raised by the petitioner to correct the answers in respect of Question No.10, 46, 52, 68, 148 (5 Questions of Set-C) for the post of Lecturer-Biology were sent to the expert committee and the expert committee duly considered those answers and considered the Claims & Objections raised by the petitioner and thereafter, the final answer has been given, which has been accepted by the Chhattisgarh Professional Examination Board. He relied upon the decision rendered by the Supreme Court in the matter of **Uttar Pradesh Public Service Commission v. Rahul Singh & Another**¹.

4. I have heard learned counsel appearing for the parties, considered their rival submissions made herein-above and went through the records with utmost circumspection.
5. In this regard, the petitioner is disputing certain final answers given by the expert committee with regard to question No.10, 46, 52, 68 and the question No.148 in Set-C has been deleted. All the final answers have been given by the expert committee and the report has been filed separately. The expert committee has considered the questions and answers and thereafter, with a reasoning, the final answers have been given by the Chhattisgarh Professional Examination Board.
6. The Supreme Court in the matter of **Rahul Singh** (supra) has clearly held that the judges are not and cannot be experts in all

¹ (2018) 7 SCC 254



fields and, therefore, they must exercise great restraint and should not overstep their jurisdiction to upset the opinion of the experts and observed in para 14 as under :

“14. In the present case, we find that all the three questions needed a long process of reasoning and the High Court itself has noticed that the stand of the Commission is also supported by certain textbooks. When there are conflicting views, then the court must bow down to the opinion of the experts. Judges are not and cannot be experts in all fields and, therefore, they must exercise great restraint and should not overstep their jurisdiction to upset the opinion of the experts.”

7. Similarly, the Supreme Court in the matter of **Ran Vijay Singh & Others v. State of Uttar Pradesh & Others**² held in para 30 as under :-

“30. The law on the subject is therefore, quite clear and we only propose to highlight a few significant conclusions. They are :

30.1. If a statute, Rule or Regulation governing an examination permits the re-evaluation of an answer sheet or scrutiny of an answer sheet as a matter of right, then the authority conducting the examination may permit it;

30.2. If a statute, Rule or Regulation governing an examination does not permit re-evaluation or scrutiny of an answer sheet (as distinct from prohibiting it) then the court may permit re-evaluation or scrutiny only if it is demonstrated very clearly, without any “inferential process of reasoning or by a process of rationalisation” and only in rare or exceptional cases that a material error has been committed;

² (2018) 2 SCC 357



30.3. The court should not at all re-evaluate or scrutinise the answer sheets of a candidate—it has no expertise in the matter and academic matters are best left to academics;

30.4. The court should presume the correctness of the key answers and proceed on that assumption; and

30.5. In the event of a doubt, the benefit should go to the examination authority rather than to the candidate.”

8. In light of the decisions of the Supreme Court in **Rahul Singh** (supra) and **Ran Vijay Singh** (supra), once the expert committee appointed by the Chhattisgarh Professional Examination Board has examined the questions & answers and final answers have been given by the expert committee, there is no reason for not accepting the final answers given by the expert committee, which the Chhattisgarh Professional Examination Board has rightly accepted. As such, I do not find any merit in this writ petition, the same deserves to be and is accordingly dismissed.

Sd/-
(**Sanjay K. Agrawal**)
Judge

Ashok