

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

WA No. 53 of 2025

Yumlembam Sanathoi

Appellant

Vs.

State of Manipur and another

Respondents

Clubbed With MC(WA) No. 108 of 2025

With MC(WA) No. 109 of 2025

with MC(WA) No. 111 of 2025

With MC(WA) No. 112 of 2025

With MC(WA) No. 113 of 2025

With MC(WA) No. 114 of 2025

With WA No. 51 of 2025

With WA No. 54 of 2025

With WA No. 55 of 2025

With WA No. 56 of 2025

BEFORE

**HON'BLE THE CHIEF JUSTICE MR. M. SUNDAR
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

ORDER

(Order of the Court was made by M. Sundar, CJ)

04.11.2025

[1] Advertisement No. 01/2022 dated 07.12.2022 issued by 'Manipur Public Service Commission' ('MPSC' for the sake of brevity) is the genesis of the captioned matters and this Advertisement shall be referred to as 'said Advertisement' for the sake of convenience and clarity.

[2] Before proceeding further, this Court makes it clear that this common order will govern the captioned 5 (five) main 'Writ Appeals' ('WAs' in plural and 'WA' in singular for the sake of convenience) and the captioned

'Miscellaneous Cases' thereat ('MCs' in plural and 'MC' in singular for the sake of convenience and clarity).

[3] In and *vide* said Advertisement, MPSC invited applications from eligible candidates *qua* 'Combined Competitive (Preliminary) Examination 2022' (hereinafter, 'said examination' for the sake of convenience) under 'Manipur Public Service Combined Competitive Examination Rules, 2022' ('said Rules' for the sake of brevity) for selecting candidates for Main Examination for recruitment to 5 posts/services, namely, Manipur Civil Services Grade –II, Manipur Police Service Grade II, Manipur Finance Service Grade-III, Sub Deputy Collector and Manipur Secretariat Service Category-VI. Along with said Advertisement, what is known as 'Plan of Examination' was also published.

[4] From the Plan of Examination, it comes to light that the afore-referred said examination is a preliminary examination, it consists of two papers (General Studies Paper-I and General Studies Paper-II) both of objective type (multiple choice) questions and carry a maximum of 400 marks *qua* various subjects details of which have been set out in the said Advertisement. It was made clear that this Preliminary Examination is meant to serve as a screening test only and therefore, the marks obtained in the Preliminary Examination *i.e.*, said examination by the candidates who are declared as qualified for admission to the main examination will not be counted for determining their final order of merit.

[5] Be that as it may, what is more relevant is, it was made clear that MPSC will first draw a list of candidates based on the criterion of minimum qualifying 33% marks in one of the two papers which constitutes the Preliminary Examination *i.e.*, said examination namely, General Studies Paper-II, to be noted, the Preliminary Examination for 400 marks is constituted by two papers namely General Studies Paper-I (GS Paper-I) and General Studies Paper-II (GS Paper-II), each paper is for 200 marks, while GS Paper-I has 100 questions carrying 2 marks for each question, GS Paper-II contains 80 questions carrying 2.5 marks per question. It was also made clear that there will be four alternatives (answers) for every question and in case of a wrong answer, one third (0.33) of the marks assigned to that question will be deducted as penalty. It was also made clear that candidates giving more than one answer will also be treated as wrong answer. This in effect means that a candidate should necessarily score 33% in GS Paper-II to qualify. To put it differently, if a candidate secures less than 33% in GS Paper-II, the candidate will not qualify. It is also to be noted that those candidates who get more than 33% in GS Paper-II will be arranged in the order of merit based on their score in GS Paper-I alone and as many as 12-13 times of the number of vacancies would be number of candidates who would be called for the Main Examination. In the instant case, it is clear from said advertisement that the number of vacancies is 100 (posts) and therefore the number of candidates who would qualify for Main Examination is 1200-1300. There is no dispute or contestation about this being the Plan of Examination.

[6] This Court is informed that as many as 10,333 candidates/aspirants sat for the afore-referred Preliminary Examination *i.e.*, said examination which was held on 30.04.2023. This Court is also informed that from and out of this 10,333 candidates, 3417 candidates qualified by getting more than 33% in GS Paper-II. As already alluded to *supra*, from and out of these 3417 candidates, a list was prepared by arranging the candidates in the order of marks which they had secured in GS Paper-I and this is a total of 1308 candidates. To be noted, the number of candidates for Main Examination will be 12-13 times the number of vacancies as already adverted to. It is also informed that last 8 candidates scored same mark and 1 differently abled candidate has been considered, making the total selected candidates as 1308. As regards these details captured here, the same were furnished to this Court pursuant to proceedings/order made by this Court in the listing on 31.10.2025 and there will be a little more allusion about this *infra* elsewhere in this order.

[7] Reverting to the narrative, on the same day as that of the Preliminary Examination (said examination) *i.e.*, 30.04.2023, (obviously after the said examination, *i.e.*, Preliminary Examination) MPSC published the Key Answers for all the 180 questions in the two papers put together and invited objections from the candidates which had to be given in the period between 05.05.2023 and 10.05.2023. Thereafter, there was a Notification dated 09.05.2023 wherein this time for objections was extended followed by another Notification dated 25.09.2023 further extending the time for Notification. There is a third extension Notification dated 27.09.2023 which

says that the time for objections will be extended after the Mobile/Internet ban is lifted. To be noted, there was a Mobile/Internet ban during the relevant point of time in Manipur. On 13.02.2024, another Notification was issued extending the time for objections and extended time period was 14.02.2024 to 18.02.2024. It is to be noted that this 13.02.2024 Notification extending the time for objections was after lifting of the ban of Mobile/Internet services in the State of Manipur. After 13.02.2024 also, there was one more Notification *i.e*, a Notification dated 05.03.2024 extending the period for objections from 06.03.2024 to 08.03.2024.

[8] Various objections from various candidates *qua* the Key Answers published by MPSC on 30.04.2022³ were received. The details of the appellants before this Court who objected may not be of great significance in the light of the narrative which is to follow *infra*.

[9] After receipt of objections, MPSC constituted an independent Eight Members External Subject Expert Committee and referred the objections to this Eight Members Expert Committee and after obtaining opinion from the Eight Members Expert Committee on each of the objections and after deliberating on the same, the results were declared on 28.05.2024 and along with the results, final Key Answers (post reference to the experts) was also published. In this regard, it is to be noted that acting on the opinion of the Eight Members Expert Committee, MPSC revised one question, dropped six questions as regards GS Paper-I and one question was dropped as regards GS Paper-II before the results were published on 28.05.2024. There is also no dispute or contestation that with regard to this one

revised, seven dropped questions, grace marks were given to all the candidates. This Court is informed that grace marks necessarily means the full marks for those questions and addition of negative marking, if any, for a given candidate. In other words, grace mark is constituted by full mark for the concerned question as well as negative mark, if any, for a given candidate.

[10] After the results were declared on 28.05.2024, some of the candidates resorted to Right to Information Act, 2005 ('RTI Act' for convenience), submitted representations and certain queries were raised. It may not be necessary to advert to the same as the same may not be really germane to the instant order, *i.e.*, it may not be germane or imperative for appreciating the instant order. Suffice to say that one writ petition, namely W.P. (C) No. 497 of 2024 was filed on 25.07.2024. In this writ petition, there were 5 writ petitioners and these 5 writ petitioners are 5 appellants before us in captioned W.A. No. 51 of 2025. Be that as it may, in this writ petition being W.P. (C) No. 497 of 2024, *inter alia*, three mandamus prayers were made. One mandamus prayer was to mandamus MPSC to constitute an Expert Committee and re-determine the correct answer for the questions with regard to which writ petitioners raised an issue. To be noted, in this writ petition, writ petitioners raised an issue with regard to 'Question No. 31' in GS Paper-II. The second mandamus was to re-evaluate the answer scripts based on the report of the Expert Committee and the third mandamus was to direct MPSC to publish the results of petitioners post re-evaluation of the answer scripts in the aforesaid manner. In this writ petition, on 29.07.2024

an interim order was made by a Hon'ble Single Judge and this interim order permitted writ petitioners to update of the details of the 5 writ petitioners in the website of MPSC for appearing in the Main Examination, making it clear that the candidature of the petitioners is subject to the outcome of the writ petition. In this regard, it is also to be noted that this interim order made by one of us (Hon'ble Mr. Justice A. Guneshwar Sharma) and all the learned counsel before us on both sides made it clear that they have no objection in captioned writ appeals being heard by this Bench.

[11] Thereafter, seven more writ petitions were filed before the Hon'ble Single Bench. This makes it eight writ petitions in all. In these eight writ petitions there are 19 writ petitioners and 9 out of these 19 writ petitioners, are now appellants before us. Be that as it may, all the eight writ petitions came to be dismissed by a 'common judgment dated 09.10.2025 made by a Hon'ble Single Judge' ('impugned order' for convenience). Assailing the impugned order, 9 of the 19 writ petitioners have filed the 5 captioned writ appeals.

[12] Before proceeding further, as regards the prayers in the writ petitions, it is necessary for completion of facts, to make it clear that in W.P. (C) No. 681 of 2024 (out of which captioned W.A. No. 54 of 2025 arises), the lone writ petitioner had made a fourth mandamus prayer and the same pertains to declaration of results pertaining to candidates who had given answers pursuant to the Expert Committee (opinion) which was sought to be constituted. As already mentioned, this is only for completion of facts.

[13] When the first of the captioned writ appeals, namely, W.A. No. 51 of 2025 was listed in the admission board in this Court on 29.10.2025, notice was issued and this 29.10.2025 proceedings/order reads as follows:

[1] A common judgment dated 09.10.2025 in 8 (eight) writ petitions is nucleus of the captioned intra-court appeal i.e. WA No. 51 of 2025. The details of the 8 (eight) writ petitions and the writ petitioners thereat are as follows :

‘WP(C) No. 497 of 2024

1. **Md. Sher Khan**, S/o Md. Zahiruddin, aged about 32 years, R/o Lilong Heinou Makhong, P.O. & P.S. Lilong, District: Thoubal, Manipur, Pin Code – 795130.
2. Maxwin Wangkheimayum, S/o W. John Singh, aged about 26 years, R/o Wangkhei Amu Leirak Opposite Meihoubam Lampak, P.O. Imphal, P.S. Porompat, Pin Code – 795005, Manipur.
3. Herojeet Singh Shougrakpam, S/o Shougrakpam Kunjakishwar Singh, aged about 37 years, R/o Santhong Sabal Leikai, Ward No. 7, Kwakta Gram Panchayat, P.O. & P.S. Moirang, Pin Code – 795133, Manipur.
4. Ningthoujam Roshnikumar Singh, S/o Ningthoujam Mangi Singh, aged about 36 years, R/o Bishnupur Makha Leikai, Ward No. 6, Near Vishnu Temple, P.O. & P.S. Bishnupur Police, Pin Code – 795126, Manipur.
5. Moirangthem Gautam Singh, S/o (Late) Moirangthem Joykumar Singh, aged about 43 years, R/o Uripok Gopalji Leirak, Imphal West, Pin Code – 795011, Manipur.

... Petitioners

WP(C) No. 546 of 2024

Yumlembam Sanathoi, S/o Yumlembam Jitkumar Singh, aged about 39 years, R/o Keishamthong Maning Longjam Leikai, Imphal West, Manipur – 795001.

... Petitioner

WP(C) No. 607 of 2024

Miss Bidyaluxmi Huidrom, aged about 26 years, D/o Binod Huidrom of Khagempali Huidrom Leikai, P.O. Imphal, P.S. Singjamei, Imphal West District, Manipur.

... Petitioner

WP(C) No. 618 of 2024

Robert Salam, S/o Salam Dhiren Meitei, aged about 34 years, R/o Singjamei Chinga Mathak Yumnam Leikai, Imphal West, Manipur – 795001.

... Petitioner

WP(C) No. 636 of 2024

1. Monika Chingakham, D/o Ch. Merajao Singh, aged about 31, R/o Nambol Khajiri Mamang Leikai, Nambol Municipal Council, Imphal West, Manipur – 795134.

2. Hidangmayum Ronendra Sharma, S/o Hidangmayum Sanamacha Sharma, aged about 31 years, R/o Naoremthong Khumanthem Leikai, Imphal West, Manipur -795001.

3. Nongthombam Sanju Singh, S/o Nongthombam Motihar Singh, aged about 29 years, R/o Kongba Nandeibam Leikai, Imphal East, Manipur – 795008.

4. Moirangthem Chinglenkhomba Singh, S/o Moirangthem Gunendra Singh, aged about 32 years, R/o Kongba Nongthombam Leikai, Imphal East, Manipur – 795008.

5. Akham Chinglemba Meitei, S/o Akham Iboyaima Khuman, aged about 24 years, R/o Wangkhei Ningthem Pukhri Mapal Awang Leirak, Imphal Municipal Council, Manipur – 795005.

6. Wairakpam Momocha Singh, C/o Wairakpam Tolpishak Singh, aged about 27 years, R/o Ningthoukhong Awang Khunou, Near Community Hall, Ward No. 1, Bishnupur District, Manipur – 795126.

7. Longjam Suraj Singh, S/o Longjam Liken Singh, aged about 26 years, R/o Bishnupur Ward No. 9, Bishnupur District, Manipur – 795126.

8. Chongtham Ronilkumar Singh, S/o Chongtham Priyokumar Singh, aged about 27, R/o Uripok Polem Leikai, Imphal West, Manipur – 795001.

... Petitioners

WP(C) No. 681 of 2024

Angom Amarjit Singh, S/o Late Angom Saratchandra Singh, aged about 43 years, R/o Ningthoukhong Awang Khunou, Ward No. 1, Bishnupur Sub-Division, Bishnupur, Manipur – 795126.

... Petitioner

WP(C) No. 710 of 2024

Sanabam Micheal Singh, aged about 34 years, S/o Sanabam Manglemjao Singh of Keishamthong Top Leirak, P.O. & P.S. Imphal, District Imphal West, Manipur, Pin No. 795001.

... Petitioner

WP(C) No. 802 of 2024

Ringo Pebam, aged about 45 years, S/o Pebam Sunarchand, R/o Kwakeithel Moirangpurel Leikai, P.O. Imphal, P.S. Singjamei, Imphal West District, Manipur – 795001.

... Petitioner'

[2] *State of Manipur and Manipur Public Service Commission (MPSC) are respondents 1 and 2 respectively in all the 8 (eight) writ petitions.*

[3] *Captioned writ appeal arises out of WP(C) No. 497 of 2024 where there are 5 (five) writ petitioners as would be evident from the details culled out and set out supra, as regards the remaining 7 (seven) writ petitions, in one writ petition there are 8 (eight) writ petitioners and in the other 6 (six) writ petitions there is 1 (one) writ petitioner each. This makes it 19 (nineteen) writ petitioners in all qua the common judgment which is under challenge.*

[4] *MPSC issued an Advertisement dated 07.12.2022 inviting applicants from aspirants qua Manipur Civil Service Grade-II, Manipur, Manipur Police Service Grade-II, Manipur Finance Service Grade-III, Sub Deputy Collector, Manipur Secretariat Service Category-VI. Preliminary examination was conducted on 30.04.2023. To be noted, what we are concerned with is, one of the papers namely, General Studies (Paper-II) and Question No. 31 thereat.*

[5] *Learned senior counsel Mr. Tayenjam Momo Singh appearing on behalf of Ms. Ningthoujam Diana Devi, counsel on record for the appellants submitted that the closet answer would be 'Assail : Defend' and not 'Disease : Treatment' qua 'ACTION : REACTION'. It was also contended that this question is a straight lift off from CAT 1996 and CLAT 2013. In CAT 1996 and CLAT 2013, 'Assail : Defend' was the correct answer is learned senior counsel's further say.*

[6] *Issue notice.*

[7] *Ms. H. Roji, learned counsel, accepts notice for R1 and Mr. M. Rarry, learned senior counsel appears on her behalf. Mr. L. Disney Meetei, learned counsel, accepts notice for R2 and Mr. RK Deepak, learned senior counsel appears on his behalf.*

[8] *Learned senior counsel for MPSC, on instructions, submitted that Question No. 31 is not a straight lift off from CAT 1996 and CLAT 2013 as in CAT 1996 and CLAT 2013 one of the options is 'Diseased : Treatment' whereas in the MPSC (instant Exam) it has been changed as 'Disease : Treatment' and this to test the examinees/candidates.*

[9] *Be that as it may, we are informed by the counsel on record Ms. Ningthoujam Diana Devi appearing on behalf of the appellants that some other writ petitioners have also filed intra-court appeals and the same are scheduled to come*

up tomorrow and she will inform the counsel concerned. Let the counsel concerned bring it on board tomorrow.

[10] List captioned matter tomorrow.

[11] List on 30.10.2025.'

[14] Thereafter, the other 4 writ appeals were filed and following 29.10.2025 order in W.A. No. 51 of 2025, notice was issued in the other writ appeals also.

[15] In the captioned writ appeals, Mr. S. Biswajit, Sr. Advocate, appears on behalf of Mr. W. Sanatomba, learned counsel on record for appellants in W.A. No. 55 of 2025 & W.A. No. 56 of 2025; Mr. T. Momo, Sr. Advocate, appears on behalf of Ms. N. Diana, learned counsel on record for appellants in W.A. No. 51 of 2025, W.A. No. 53 of 2025 & W.A. No. 54 of 2025; Mr. M. Rarry, Sr. Advocate, appears on behalf of Ms. H. Roji, learned counsel on record for State; and Dr. RK Deepak, Sr. Advocate, appears on behalf of Mr. Disney Meetei, learned counsel on record for MPSC. Learned Sr. Advocates on instructions from their respective counsel on record consented to have the main WAs heard out without insisting on filing counter affidavit/s in the MCs thereat. On this basis, the main WAs were taken up and heard out. In this regard, it is deemed appropriate and pertinent to record that this Court is informed that the Main Examination is scheduled to commence on 07.11.2025 (Friday).

[16] A careful perusal of the impugned order, submissions made before this Court, the case files and the other material bring to light that what falls for consideration or in other words what fell for consideration

before the Hon'ble Single Judge is eight questions in all. They are question Nos. 31, 51 & 61 in GS Paper-II, and Question Nos. 9, 25, 50, 67 and 89 in GS Paper-I. Given the Plan of Examination, we will first examine the three Questions in GS Paper-II as scoring 33% in this paper is the first hurdle which a candidate has to clear if he/she is to find a place in 1308 candidates who will sit for main examination. As regards the three Questions in GS Paper-II, the contention of the candidates and the Key Answers given by MPSC post referring to Expert Panel (as can be culled out from impugned order) is as follows:

[10] *The claims and objections raised by the petitioners in respect of the aforesaid three questions of General Studies (Paper-II), i.e., Question Nos. 31, 51 and 61, are more or less the same which are as under:-*

a) *In respect of Question No. 31:*

- (i) *The final answer key given by the MPSC for the said Question No. 31 is option “(C) Disease : Treatment”, which is not closest to relationship between capitalized pair, i.e., “ACTION : REACTION”. It has been submitted that the correct answer to the said question is option “(B) Assail : Defend”, which is closest to relationship between the capitalized pair, i.e., “ACTION : REACTION”.*
- (ii) *The said correct answer “(B) Assail : Defend” to the said question is the same as the question which was asked in the CAT, 1996 and CLAT, 2013 question papers. The explanation given for the answer (B) in CAT, 1996 and CLAT, 2013 are:-*

Questions	Correct Answer	Explanation given in “Hints & Solutions/ Explanation”
Question No. 344 CAT, 1996 ACTION : REACTION (A) Introvert : Extrovert (B) Assail : Defend (C) Diseased : Treatment (D) Death : Rebirth	(B) Assail : Defend	Second word is a follow-up of first one. Reaction comes after action and Assail (attack) is followed by Defence.
Question No. 1 CLAT, 2013 ACTION : REACTION	(B) Assail : Defend	Second is the result of first

(A) Introvert : Extrovert (B) Assail : Defend (C) Diseased : Treatment (D) Death : Rebirth		
---	--	--

(iii) Similar question is found in the online portal “**interviewmania.com**” and the correct answer to the said question is also option ‘**B**’ as extracted above.

b) In respect of Question No. 51:

(i) The answer key given by the MPSC is option **(D)**, however, all the options are interpersonal skills. Hence, none of the options are correct. If any one option which is least closest to interpersonal skill is **Empathy** or option **(B)** reason being **Empathy** is more associated with feeling which is intrapersonal in approach even if there is some interpersonal expression. While **Assertiveness** is more about communicating in a positive and more confident way, which is more interpersonal in approach. Hence, the more appropriate option is “**Empathy**” or option **(B)** or none of the options are correct. In support of such claims/ objections, the petitioners relied upon the definition and explanation of the word “**Assertiveness**” as published in the “**International Journal of Advanced Psychiatric Nursing, 2021**” and “**Think India**” (Quarterly Journal).

(ii) The petitioners also relied on the “**Curriculum and Guidelines for Life Skills (Jeevan Kaushal) 2.0**”, published by University Grants Commission, August 2023 wherein it is stated that life skills are considered into three categories with complement, supplement and reinforce each other:

Social or Interpersonal Skills (Communication, Assertiveness, Cooperation and Empathy).

The petitioners also relied on “**Exploring the Interplay of Assertiveness, Social Anxiety and Communication Competence Among College Students in Lunglei, Mizoram**” published by the International Journal of Indian Psychology, Volume 12, Issue 2, April-June 2024 wherein it is stated that “**Assertiveness is an important component of personal and interpersonal interaction**”. The petitioner also relied upon the extract from “**Social Processes and Behavioural Issues - Interpersonal Skill and Group Processes**” published by IGNOU School of Management Studies, January 2018 in support of their contentions. It has been submitted on behalf of the petitioners that all the options given to the said Question No. 51 are of interpersonal skills and therefore, the question is demonstrably wrong

c) In respect of Question No. 61:

*It has been stated by the petitioners that the option presented by the MPSC as answer for Question No. 61 will be wrong since the second para of the question is asking for negative answer of the statement which will be options (b), (c), and (d) instead of the MPSC option (a). It has also been stated that the said question is almost the same with Question No. 49 of XAT, 2010 except for the word “**strongly**” is replaced by the word “**wrongly**”. This substantive change completely alter the meaning of the question and that the term “**strongly**” implies a forceful or assertive expression, which is not inherently negative whereas the word “**wrongly**” denotes an incorrect or inappropriate action, which carries a clearly negative connotation and as such, the answer key does not reflect the question.*

[17] As regards afore-referred three questions, all three questions were referred to the Expert Committee (Eight Members Expert Committee), the Eight Members Expert Committee has returned its opinion and it is based on the opinion of the Eight Members Expert Committee that the final Key Answers were published.

[18] Before we proceed further, it is deemed appropriate to record that as regards the five questions in GS Paper-I, while three questions, namely Question Nos. 25, 50 & 67 were referred to the Expert Committee and the opinion of the Expert Committee was obtained, two questions namely, Question Nos. 9 & 89 were not referred to the Expert Committee as at that given point of time, there was no objection with regard to Question Nos. 9 & 89 but Question Nos. 9 & 89 have been put in issue, by writ petitioners in W.P. (C) No. 802 of 2024, out of which W.A. No. 56 of 2025 arises. We will deal with W.A. No. 56 of 2025 alone separately for this reason and as the lone appellant therein alone has scored more than 33% in GS

Paper-II unlike the other 8 appellants who have not secured 33% in GS Paper-II.

[19] Reverting to the aforesaid three questions GS Paper-II, the point is fairly simple, though multiple case laws were pressed into service by both sides as would be evident from the impugned order of the Hon'ble Single Judge.

[20] This Court, respectfully refers to principles laid down by Hon'ble Supreme Court in **Ran Vijay Singh & ors. Vs. State of Uttar Pradesh & ors** reported in **(2018) 2 SCC 357** rendered by a Hon'ble two member Bench on 11.12.2017, **Rishal & ors. Vs. Rajasthan Public Service Commission & ors.** reported in **(2018) 8 SCC 81** which was also rendered by Honble Two Member Bench on 03.05.2018 and **Vikesh Kumar Gupta & anr. Vs. State of Rajasthan & ors.** reported in **(2021) 2 SCC 309** rendered by Hon'ble Three Member Bench on 07.12.2020. A careful perusal of the ratio in these three case laws, namely, **Ran Vijay Singh, Rishal** and **Vikesh Kumar Gupta** bring to light the following two points and they are as follows;

- (i) Assessment of questions by Courts itself (in matters of this nature) to arrive at correct answers is not permissible.
- (ii) Courts should be very slow in interfering with the Expert Committee opinion in academic matters (in matters of this nature).

[21] This Court finds the afore-referred ratio laid down by Hon'ble Supreme Court as can be discerned from **Ran Vijay Singh, Rishal** and **Vikesh Kumar Gupta** instructive as regards legal drill at hand the above would be the touch stone *qua* dispositive reasoning in instant order.

[22] In the case on hand, as would be evident from the narrative thus far, MPSC has referred all the three questions in GS Paper-II to an independent, external Eight Members Expert Committee, obtained their opinion and thereafter published the final answers along with the results on 28.05.2023. At the risk of repetition, this Court deems it appropriate to reiterate that post opinion of the Expert Committee, one question was revised and six questions were dropped from GS Paper-I and one question was dropped from GS Paper-II giving grace marks to all candidates for all these questions. This is emphasized only for the limited purpose of highlighting that the Expert Committee has given negative opinion. MPSC has acted on the negative opinion of the Expert Committee resulting in revision/dropping of certain questions. The Expert Committee has not cleared all the questions and key answers given by MPSC namely, all the questions and answers for which objections were raised. To be noted, there were 180 questions and key answers for all and objections were raised for many.

[23] Reverting to the Expert Committee, this Court permitted MPSC to place before it the details of the Eight Members Expert Committee in a Sealed Envelope in and by proceedings/order dated 03.11.2025, which reads as follows:

[1] Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 31.10.2025.

[2] Today, Mr. RK Deepak, learned senior counsel, continued and concluded his submissions. Mr. M. Rarry, learned senior counsel fairly submitted that the State is proforma party.

[3] Mr. L. Disney Meetei, counsel on record for MPSC was instructed by Mr. Kh. Lalmani Singh, Controller of Examinations, MPSC and made requests for a short accommodation to place on record the affidavit of the Controller of Examinations, MPSC giving the details of 8 (eight) member expert committee inter alia setting out name, institution and the designation of each of the member.

[4] This Special Bench will sit tomorrow at half past ten.

[5] List tomorrow (04.11.2025) at half past ten as 'Part Heard' for affidavit and reply submissions of learned senior counsel for appellants.'

[24] In this regard, as regards the sealed envelope/sealed cover procedure, declaration of law was made by a Constitution Bench of Hon'ble Supreme Court in **State of Punjab Vs. Sodhi Sukhdev Singh** reported in **AIR 1961 SC 493**. In **Sodhi Sukhdev Singh**, Hon'ble Supreme Court made it clear that when privilege/immunity is claimed by State as regards some documents generally an affidavit should be sworn to by the political Head of the Department concerned and if not, by the Secretary of the Department, who is the Departmental Head and when such an affidavit is sworn to, the affidavit should show that each document has been carefully read and considered and the person making the affidavit is satisfied that its disclosure would lead to public injury. The affidavit should indicate briefly within permissible limits the reason why it is apprehended that their disclosure would lead to public injury but these requirements did not come

into play in the case on hand as learned senior counsel appearing for learned counsel on record for the appellants very fairly took the position that it may not be desirable to insist that all the Names, Designations and Institutions of the Members of the Expert Committee should be put in public domain. This Court places on record its appreciation for the fair stand taken by learned senior counsel on behalf of counsel on record for the appellants. The reason is that the Final Examination/Main Examination is yet to be conducted and the Experts may be referred to at any future point of time. It may not be desirable to make academicians vulnerable to the legal drill on hand. Suffice to say that the procedure put in place with regard to sealed cover in **Sodhi Sukhdev Singh** has become unnecessary in the case on hand owing to the fair stand taken by both sides. In a case where there is contest, **Sodhi Sukhdev Singh** will be adverted to.

[25] This Court had the benefit of perusing the list of Eight Members Expert Committee. This Court finds that they are clearly domain experts with expertise in various fields, they are all academicians who hold high offices in institutions of repute. What is of greater significance is none of them are from Manipur. All the experts are from other parts of the country *i.e.*, other than Manipur, such as West Bengal, New Delhi, Puducherry etc. The experts have given unanimous opinion and it is based on the unanimous opinion of the experts, that MPSC has published the final Key Answers after revising one question and dropping seven questions. The experts have given logical reasoning and have given narrative form opinion which was made available both to the Hon'ble Single Bench and to this Court. Hon'ble Single Bench in

the impugned order has extensively reproduced the opinion of the Expert Committee. This Court also had the benefit of perusing the opinion of the Expert Committee. This Court respectfully follows the principle discerned **Ran Vijay Singh, Rishal and Vikash Kumar Gupta** *supra* that it would be very slow in interfering with the opinion of the experts. In the case on hand, it is seen that the experts are domain experts in various fields holding high offices in institutions of repute and this Court would not serve as an appellate forum *qua* the opinion rendered by the experts.

[26] This takes us to the question of two out of the five questions appearing in GS Paper-I, not being referred to the Expert Committee about which there is reference *supra*. In the impugned order, the Hon'ble Single Judge has made a tabulation of all eight questions which fell for consideration and there are five columns in the Y axis, namely, serial number, case details, challenged questions, claimed options and final answer key. To be noted, claimed option in column 2 in Y axis is the option which has been resorted to by the candidates who raised the objections. Final key answers which were published by the MPSC on 28.05.2024 post receipt of expert opinion (after consultation with the expert committee) is in last column. In other words, columns 4 and 5 in Y Axis in the tabulation are the objections of the candidates in the final key answers of the MPSC and column 5 is final key answer published by MPSC post expert committee consultation. This Court finds that the tabulation made by the Hon'ble Single Judge in the impugned order can be usefully referred to and an extract of the same is as follows :

Sl. No.	Case Details	Challenged Questions	Claimed Options	Final Ans. Key
1.	WP(C) No. 497 of 2024 Md. Sher Khan & 4 ors.	Correctness of answer key w.r.t. Q. 31 of GS – II Direction (Q. Nos. 29 to 32): In each of the following questions a pair of capitalised words is followed by four pairs of words. You are required to mark as the answer the pair of words with a relationship between them that is closest to the relationship between the capitalised pair: Q. 31. ACTION: REACTION (A) Introvert : Extrovert (B) Assail : Defend (C) Disease : Treatment (D) Death : Rebirth	(B)	(C)
2.	WP(C) No. 546 of 2024 Y. Sanathoi	Correctness of answer key w.r.t. Q.51 of G.S. – II Q.51. Which of the following is not an interpersonal skill? (A) Communication (B) Empathy (C) Negotiation (D) Assertiveness	(B) Or, no option is correct	(D)
3.	WP(C) No. 607 of 2024 Bidyaluxmi Huidrom	Correctness of answer key w.r.t. Q.61 and Q. 51 of GS-II Q.61. "The sum of behaviour is to retain a man's dignity without intruding upon the liberty of others", stated Sir Francis Bacon. If this is the case, then not intruding upon another's liberty is impossible. The conclusion wrongly implied by the author from out of Sir Francis Bacon's statement is: (A) Retaining one's dignity is impossible without intruding upon other's liability. (B) Dignity and liberty can co-exist. (C) There is always the possibility of a 'dignified intrusion'.	Incorrect question (Must allot grace marks)	(A)

Sl. No.	Case Details	Challenged Questions	Claimed Options	Final Ans. Key
		(D) Retaining dignity never involves intrusion into others' liberty. Q.51. of GS-II	(B)	(D)
4.	WP(C) No. 618 of 2024 Robert Salam	Correctness of answer key w.r.t. Q. 31 of GS – II Q.31 of GS – II	(B)	(C)
5.	WP(C) No. 636 of 2024 Monika Ch. & 7 ors.	Correctness of answer key w.r.t. Q.31, Q. 51 and Q. 61 of GS – II Q.31. of GS – II Q.51. of GS - II Q.61. of GS - II	(B) All the above options B), (C), (D)	(C) (D) (A)
6.	WP(C) No. 681 of 2024 Angom Amarjit	Correctness of answer key w.r.t. Q.67 of GS-I and Q. 31 of GS-II Q.67 of GS-1 Which of the following are key indicators of poverty in India? a) High infant mortality rate b) Low life expectancy c) High Inflation rate d) Low literacy rate (A) (a), (b) and (c) only (B) (a), (b) and (d) only (C) (b), (c) and (d) only (D) (a) and (d) Q.31 of GS - II	Revised option from (C) to (D) is incorrect (B)	(D) (C)
7.	WP(C) No. 710 of 2024 Sanabam Micheal	Correctness of answer key w.r.t. Q.31, 51 and 61 of GS – II Q.51. of GS - II Q.61. of GS – II Q.31. of GS – II No reason given for alleged wrong/ incorrect answer.	(B)	(D) (A)
8.	WP(C) No. 802 of 2024	Correctness of answer key w.r.t. Q.9, 25, 50, 67, 89 of GS-I Q.9: In the light of the recent report released by the Official Language Committee headed by	No correct option,	(C)

Sl. No.	Case Details	Challenged Questions	Claimed Options	Final Ans. Key
		Union Home Minister, Government of India, consider the following statements: a) Divide the States into two categories ----Region A and B States, for the use of Hindi language. b) Prioritize regional languages over English in all the States. c) Designate Hindi as one of the official languages of the United Nations. Which of the above statements are the recommendations of the Committee? (A) Only (a) (B) Only (a) and (b) (C) Only (b) and (c) (D) (a), (b) and (c) Q. 25. Consider the following statements: a) Iltutmish introduced the Sajdah and Paibos. b) Qutubuddin Aibak was the founder of the Ilbary dynasty. c) Aibak died while playing Chaugan. d) Itutmish constructed the Quwwat-ul-Islam mosque at Delhi. Which statements given above are correct? (A) (a) and (b) only (B) (b) and (c) only (C) (a), (b) and (d) only (D) None of the above Q.50: The process of producing Atom bomb and Hydrogen bomb involves fission and fusion respectively A) fusion and fission respectively B) fusion in both cases	hence invalid No correct option, hence invalid No correct option,	(B) (A)

Sl. No.	Case Details	Challenged Questions	Claimed Options	Final Ans. Key
		C) fission in both cases Q.67 Which of the following are key indicators of poverty in India. (a) High Infant Mortality Rate (b) Low Life Expectancy (c) High Inflation Rate (d) Low Literacy Rate A) (a), (b) and (c) only B) (a), (b) and (d) only C) (b), (c) and (d) only D) (a) and (d) Q.89. Which of the following matters are required to be passed by simple majority votes? a) Removal of the Speaker and the Deputy Speaker of the House. b) Removal of the Chief Election Commissioner and the other Election Commissioners. c) Removal of the Chairman of the Rajya Sabha d) Removal of the Deputy Chairman of the Rajya Sabha. Select the correct answer by using the codes given below Codes: (A) (a), (b), (c), (d) (B) (a), (c), (d) only (C) (c) only (D) (a), (b), (c) only	hence invalid (C) No correct option, hence invalid	(D) (B)

[27] As regards the two questions in GS Paper-I which were not referred to the expert committee, namely questions No. 9 and 89, the same really do not make a difference for more than one reason and the reasons are as follows :

- i) Eight out of the nine appellants before us have not cleared GS Paper-II as they have scored less than 33%. Therefore, even on a demurer, if 2 marks each together with the negative marks are added for these two questions in GS Paper-I, it really will not make a difference to their inclusion in cleared 1308 candidates or their writing the main examination;
- ii) Eight out of nine appellants do not clear the 33% barrier in GS Paper-II without notional addition of full marks and negative marks for disputed questions and we are not interfering with Pan India Expert Committee opinion by respectfully following **Ran Vijay Singh, Rishal** and **Vikesh Kumar Gupta** principles that Courts should be very slow to interfere and therefore there is no scope for notional addition of marks for disputed questions.

[28] In this order elsewhere *supra* it has been mentioned that one candidate namely, the writ petitioner in WP(C) No. 802 of 2024 had scored more than 33% in G.S.-II. Therefore, it is being dealt with separately. In this case, unfortunately, for this candidate, he has scored less than 55.58% in GS Paper-I. This means that this candidate, namely, writ petitioner in WP(C) No. 802 of 2024 (writ appellant in W.A. No. 56 of 2025) will not come within the thirteen times range *i.e.*, within 1308 candidates shortlisted by MPSC for writing main examination. As regards question Nos. 9 & 89

pertaining to report of official language and removal of certain constitutional functionaries **Kanpur University** principle *i.e.*, ratio in **Kanpur University, through Vice Chancellor and others Vs. Sameer Gupta and others** has not been satisfied as the answers given by MPSC have not been demonstrated to be so wrong that no reasonable body would regard it to be wrong and the endeavor of appellant is certainly not without resorting to inferential process of reasoning/rationalization. In this regard paragraph 16 of Kanpur University is relevant and the same reads as follows:

'16. Shri Kacker, who appears on behalf of the University, contended that no challenge should be allowed to be made to the correctness of a key answer unless, on the face of it, it is wrong. We agree 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.'

[29] To be noted, the marks obtained by the nine appellants before us has been set out in a tabulation and the same has also been placed before us in the sealed envelope. The affidavit in which the details of the eight experts have been set out is a notarized affidavit and it is an affidavit dated 04.11.2025 and this affidavit along with the marks scored by the nine appellants before us in the two papers are put back in the envelope and the same is sealed. This sealed envelope will now be kept in the custody of the Registrar (Judicial) of this Court for a reasonable length of time.

[30] In the reply submissions, Mr. S. Biswajit placed before us a judgment reported in **(2012) 6 Gauhati Law Reports 387 (Sapam Jiten Singh and Ors. Vs. Manipur Public Service Commission and another)** for the proposition that an expert committee has to be constituted by this Court. Though **Sapam's** case has been rendered by a Hon'ble Single Bench of this Court, we respectfully perused the same. We find that **Sapam's** case was one where MPSC has not resorted to expert committee much less a Pan India Expert Committee as in the case on hand. Therefore, **Sapam's** case is clearly distinguishable on facts and does not come to the aid of the appellants. This Court is acutely conscious that the judgments rendered by Hon'ble Single Benches are not normally referred before Division Benches but we have respectfully adverted to the same too. Another judgment referred to by Mr. Biswajit, learned senior advocate is **Anoop's** case rendered by a Division Bench of the Bombay High Court reported in **2015 6 AIR (Bom) (R) 140 (Anoop Vs. Mohta & V.L. Achliya)**. Before we advert to **Anoop's** case, we also make it clear that this Court is acutely conscious that a Division Bench of the Bombay High Court is not a coordinate Bench and therefore, law of precedents will not compel us to follow the same. It would at the highest have persuasive value. Nonetheless, we have referred to **Anoop's** case and in **Anoop's** case, we find that the Division Bench has specifically mentioned that the expert committee had returned only one liners without any explanation, without any narrative and it is in this context that in **Anoop's** case the Hon'ble Division Bench of the Bombay High Court (which is not a coordinate Bench) thought it fit to constitute

another expert committee. Before proceeding further with the case laws, this Court deems it appropriate to write that with regard to citations/case laws/ratio, this Court is respectfully applying **Padma Sundara Rao (Dead) and Others v. State of T.N and Other** declaration of law made by a Constitution Bench of the Hon'ble Supreme Court reported in **(2002) 3 SCC 533. Padma Sundara Rao** on facts, is a case which arose from land acquisition proceeding under Central Act, namely, Land Acquisition Act, 1894, and question was when land acquisition proceedings are quashed whether a fresh period will be available to State for making declaration. In this regard, in paragraph 9 by referring to Lord Morris in *Herrington Vs. British Railway*, law was declared that reliance on case law should be based on the fact situation of each case and there is always a peril in treating the words or speech of the judgment as words of legislative enactment and therefore, judicial utterances are made in the setting of a particular case. What is of utmost significance is declaration of law made by Constitution Bench in **Padma Sundara Rao** is to the effect that circumstantial flexibility *i.e.* one additional or different fact may mean a world of difference between conclusions in two cases. Paragraph 9 of **Padma Sundara Rao** is very instructive and the same reads as follows :

'9. Courts should not place reliance on decisions without discussing as to how the factual situation fits in with the fact situation of the decision on which reliance is placed. There is always peril in treating the words of a speech or judgment as though they are words in a legislative enactment, and it is to be remembered that judicial utterances are made in the setting of the facts of a particular case, said Lord Morris in Herrington Vs. British Railways Board.

Circumstantial flexibility, one additional or different fact may make a world of difference between conclusions in two cases.'

[31] Reverting to the case laws that were referred to, Mr. Tayenjam Momo Singh, learned senior counsel placed reliance on two case laws. First case law is **Rishal** reported in **(2018) 8 SCC 81**. Learned senior counsel relied on **Rishal** for the proposition that it would be desirable to have an expert committee constituted. Learned senior counsel drew our attention to paragraph 6 and 27. Facts of **Rishal** are available in paragraph 2 and from paragraph 2 it comes to light that the matter pertains to the Rajasthan Public Service Commission and examination being School Lecturer Examination, 2015 conducted by the said State Commission. Many candidates submitted objections to papers and thereafter came to the court. A learned Single Judge in and by an order dated 08.11.2016 reported in **(2016) SCC Online Rajasthan 10652** gave a slew of directions and thereafter, a second round of litigation commenced. We find that this Rishal's case does not come to the aid of the appellants for 3 (three) reasons and the three reasons are as follows :

- i) **Rishal's** case has been subsequently referred to in **Vikesh** reported in **(2021) 2 SCC 309** which was rendered by a larger Bench namely, three member Bench and in **Vikesh** the aforesaid principles that assessment of questions by courts itself is not permissible and that the courts will be slow in interfering with expert opinion in academic matters was laid down. We respectfully follow **Vikesh**;

- ii) Second reason is, in **Rishal**, the correctness of the question and answer itself became a point of contention;
- iii) The third reason is, in **Rishal**, it was case of more than two correct answers for the same question which is not the case in the instant legal drill at hand.

[32] Learned senior counsel also relied on **Reetesh Kumar Singh and Others Vs. State of Uttar Pradesh and Others** reported in **(2025) SCC OnLine 2273. Reetesh Kumar** case is one pertaining to selection to the post of Revenue Lekhpal in the State of Uttar Pradesh which became subject matter of contest. In **Reetesh Kumar** also, the question of more than two correct answers came up and that is not the issue in the case on hand. Be that as it may, in **Reetesh Kumar**, Hon'ble Supreme Court vide paragraph 15 as reported in SCC Online has made it clear that **Reetesh Kumar** shall not be treated a precedent.

[33] Before proceeding further, we deem it appropriate to write that the issue of constituting a neutral expert committee was raised before the Hon'ble Single Judge also. This plea of the writ petitioner has been captured by the Hon'ble Single Bench in paragraphs 12 and 13 of the impugned order but the same has not been adverted to and a finding has not been returned on the same. Nonetheless, we now return a finding on the same. This Court having had the benefit of details of the expert committee as well as opinions they have given qua the objections that have been raised. As Expert Committee is Pan India neutral and opinion is not interfered with the

question of referring to another Expert Committee does not arise. Constitution of the Eight Members Committee addresses the neutrality argument as it is clearly not in-house, it is Pan India (other than Manipur) and is a collection of academicians domain experts.

There is also a reference in the Hon'ble Single Bench order regarding two correct answers. This occurs in paragraph 24. The relevant portion reads as follows :

'[24] On a plain reading of the eight questions, the final answer keys to the said questions and the objections raised thereto along with the expert opinions, this court cannot conclusively arrive at a finding that the petitioners have been able to prove demonstrably without any inferential process or reasoning or without a process of rationalization that the said final answer keys are palpably wrong. Moreover, when two equally valiant interpretations of an answer are possible, it cannot be said that the answer key is demonstrably wrong. In view of the material facts available on record, this court is of the considered view that in order to establish the incorrectness and factual inaccuracy in the contested answer keys, a prudent man having sufficient knowledge would need to take a deep dive into the world of academia and research on the purported incorrectness.'

[34] In the above extracted portion, there is obviously a typographical error as 'valiant' should read as 'valid'/'variant'. This Court is of the considered opinion that this observation does not make a difference to the conclusion as it did not fall for consideration before the Hon'ble Single Judge. In this regard, it would be appropriate to refer to **Wambaugh Inversion Test**. **Wambaugh Inversion Test** has been repeatedly applied

in various cases of the Hon'ble Supreme Court. **Wambaugh Inversion Test** is one where a particular paragraph if removed and if judgment is read it would not make a difference to the conclusion. Suffice to write that two equally correct answers is nobody's case in the instant legal drill.

[35] This Court deems it appropriate to write that the expert committee to which the objections qua six out of eight questions (all three in GS Paper-II) were referred to is not an in-house expert committee qua MPSC. It is clearly a neutral external committee constituted by academicians and domain experts Pan India (other than Manipur) as already alluded to *supra*.

[36] This Court respectfully applies the **Vikesh Kumar Gupta** principle that courts will be very slow to interfere with the expert opinion in academic matters. The Hon'ble Single Bench has also extensively referred to **Ran Vijay Singh** but as we have referred to **Vikesh Kumar Gupta** which was rendered on 07.12.2020 after **Ran Vijay Singh** which was rendered on 11.12.2017, we are not adverting to other case laws and we are not burdening this order with all the case laws lest instant order may become verbose.

[37] In this view of the matter, suffice to write that one of the earliest case laws on this point i.e., Multiple choice answers (Objective type questions) and objections to choices is the **Kanpur University, through Vice Chancellor and others Vs. Sameer Gupta and others** rendered by Three Member Bench of the Hon'ble Supreme Court, reported in **(1983) 4 SCC 309** which we alluded to *supra* regarding Question Nos. 9 & 89 in GS

Paper-I which were not referred to Expert Committee. In **Kanpur University case**, Hon'ble Supreme Court made it clear that Key Answer should be assumed to be correct unless it is proved to be wrong and it should not be held to be wrong by an inferential process of reasoning or by a process of rationalization. It was made clear that it must be clearly demonstrated to be wrong, that is to say that it must be such as no reasonable body well versed in the particular subject would regard the same as correct. This principle laid down in **Kanpur University** has been repeatedly followed by Hon'ble Supreme Court, it continues to hold the field, it continues to be good law and it would suffice to say that this is not a case which passes the **Kanpur University** test, i.e. passes muster *qua Kanpur University* parameter. Suffice to write that the objections raised are not such that they are so demonstrable and no reasonable person would agree that the answers are incorrect.

[38] To conclude the adumbration of case laws which have been adverted to, this Court deems it appropriate to write that this Court ferreted out a judgment of Honb'le Delhi High Court in **Prabha Devi and others vs. Government of NCT of Delhi and Others** reported in **SCC OnLine Del 3253**. **Prabha Devi** case was carried to Hon'ble Supreme Court by way of SLP No. 025048-025049 of 2016 and the SLP was dismissed on 02.09.2016 as is evident form the Supreme Court website. In the same spirit in which we referred to **Sapam's Case** and **Anoop's** case, we referred to **Prabha Devi** with deterrence. This Court is acutely conscious that dismissal of SLP at the pre leave stage, i.e., the first part of Article 136 does not take

one to the doctrine of merger. Dismissal of SLP is only refusal to grant leave. Therefore, the ratio continues to be that of a Division Bench. The lead case in this regard is **Kunhayammed and other Vs. State of Kerala and another** reported in **(2000) 6 SCC 359**. In **Prabha Devi**, Hon'ble Division Bench of Delhi High Court after referring to the series of case laws adverted to four different options when certain questions are found to be incorrect. These four options are (i) the question can be deleted and treated as Zero mark question, (ii) the question though deleted each candidate can be awarded marks, as if the answer was correct and without negative marks, (iii) question is not deleted and the candidates who have given the right answer are awarded marks, but there is not negative mark and (iv) if there are two correct suggested answers, candidates who have given any of the two answers suggested are awarded full mark. To be noted, in **Prabha Devi** also **Kanpur University** case was respectfully referred to. Be that as it may, as regards the four options, in the case on hand, with regard to seven questions in GS Paper-I and one question in GS Paper-II, there was one revision and seven dropping of questions. MPSC has resorted to giving full marks for all the questions which has been referred to as grace marks, therefore, the option which MPSC has chosen, is also in place, *qua* those of the questions which were found to be nebulous by the Expert Committee. This clearly shows that a very balanced approach has been taken.

[39] There was considerable arguments on delay and latches on the part of the writ petitioners in approaching this Court. As would be evident from the chronology stet out *supra*, the Final Results were declared on

28.05.2024 but the first of the writ petitions, namely, W.P. (C) No. 497 of 2024 (out of which W.A. No. 51 of 2025 arises) was filed in this Court only on 25.07.2024. This two months delay was said to be latches and it was also argued that the other five writ petitioners, who joined these five writ petitioners in W.P. (C) No. 497 of 2024 after an interim order was granted on 29.07.2024 are fence sitters. This submission of learned senior counsel for counsel on record for the MPSC was resisted by learned senior counsel for counsel on record for appellants, by saying that in the two months the appellants have resorted to RTI route and representations about which there is allusion *supra*. As we would not be holding in favour of appellants in the captioned matters on the merits of the matter and other points, we make it clear that we are not adjudicating upon this latches/fence sitters points, we leave this question open to be considered in another matter *i.e.* in another legal tussle, where a decision on such a point becomes imperative for returning a verdict.

[40] We deem it appropriate to place on record our appreciation to all the senior advocates and their respective counsel on record for taking a very fair approach in adversarial adjudication.

[41] As regards lift off of some questions from CAT/CLAT minor changes have been made and the same may will be to eliminate Rote learning but we refrain from dilating on this as it is not imperative for the verdict we are returning. Before writing the concluding paragraph 6 *supra*, 31.10.2025 order reads as follows:

'31.10.2025

[1] *Read this in conjunction with and in continuation of earlier proceedings made in the previous listings.*

[2] *In the course of the hearing today, it became necessary to look at some facts and a illustrative list (not exhaustive) of the facts which need to be looked into are as follows :*

- i) The number of candidates who sat for the preliminary examination held on 30.04.2023;*
- ii) The number of candidates who got the qualifying marks of 33% in G.S.-II;*
- iii) How many of the appellants before us have got qualifying marks in G.S.-II?*
- iv) The number of candidates who have been shortlisted/held to be qualified to write the final examination. To be noted, as per the list published by MPSC, it appears to be 1318 but this needs to be confirmed by the MPSC;*
- v) Of the number of candidates who have qualified to write the final examinations, be it 1318 or any other number, the highest marks secured by a candidate and the lowest marks secured by the last candidate;*
- vi) When the last examinations for recruitment to these posts were held?*
- vii) The instructions says 12-13 times the number of vacancies, the number of vacancies is shown as 100. Therefore, the basis on which 1318 or any other number was arrived at.*
- viii) Marks scored by the 9 (nine) appellants before this Court in G.S.-I and G.S.-II (for the present we permit MPSC to produce it in a sealed envelope to the court, if so desired and if so advised).*

[3] *Faced with the difficulty of want of instructions, Dr. RK Deepak, learned senior counsel appearing on behalf of Mr. L. Disney Meetei, counsel on record for R2 MPSC, made a request to have the matter kept on Monday so that Controller of Examinations of MPSC or any other person conversant with the facts can be present in court with all the relevant files to aid, assist and instruct MPSC counsel.*

[4] *List on Monday (03.11.2025) at 2:30 p.m. under the sub-caption 'Part Heard' within parenthesis.'*

Various captured *supra* were furnished to court in the hearing pursuant to above order/proceedings.

[42] Ergo, the sequitur is captioned five WAs fail and the same are dismissed. Consequently, captioned MCs thereat also perish with the main WAs and the same are also dismissed. There shall be no order as to costs.

Sushil/Sandeep

JUDGE

CHIEF JUSTICE