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Hon. Mr. Justice U.C. Srivastava, V.C.
Hon. Mr. K. Chayya, Member (A)



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of General Knowledge out of total 150 marks. The aforesaid marks which has been awarded to the applicant in G.K. test suffers from manifest error in so far as the applicant has tallied the answers given by him to the objective test and the applicant is entitled atleast to the award of 135 marks out of 150 marks in the said test. In case the marks of the petitioner are taken as 135 in the General knowledge test the applicant would have been selected in the Indian Forest Examination 1986. His answers were very good but correct marking was not done, with the result he was not allowed to join the Indian Forest Service and in case he would have been in service.

2. An attempt was made by the learned counsel to see the papers which were not produced as the same has already been destroyed. Even in tests where the computers do the marking and recording the results mistakes have been noted in various examination conducted by the Union Public Service Commission on account of which various candidates who had infact been selected, not been selected whereas persons who have in fact secured much less marks had been treated as selected.

3. What ever may be the factual position according to the applicant he appeared in the said examination in the month of July 1986 and as the objective paper was there and he should have been given/of more than 477 marks and in another paper 130 marks instead of 105 marks. It is stated that the answer sheets are preserved only for a period of one year from the date of examination and have

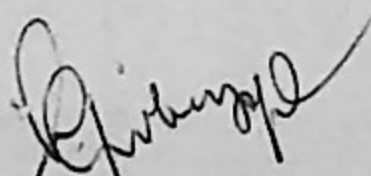
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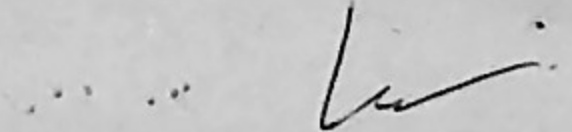
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been destroyed. The available records i.e. the score sheets and the result show that the marks awarded in General knowledge paper as communicated to the applicant are correct, and as such it is difficult for us to go into the question whether marking is correct or not.

4. On the basis of above circumstances, a direction has been given to the Union Public Service Commission to give the applicant one more chance to appear in the examination although he had crossed the age bar. With the above observations we are dismissing the application. No order as to the costs.


A.M.


V.C.

Dated: 22nd April, 1992

(UV)