

**Court No. - 5**

**(1) Case :-** SERVICE SINGLE No. - 3780 of 2011

**Petitioner :-** Sanjay Kumar Pathak And Another

**Respondent :-** State Of U.P. Through Prin. Secy. Home Civil Sectt. Lko. And

**Petitioner Counsel :-** K.S.Pawar

**Respondent Counsel :-** C.S.C.

**ALONG WITH**

**(2) Case :-** SERVICE SINGLE No. - 3851 of 2011

**Petitioner :-** Constable No. 972310350 Wakar Ahmad

**Respondent :-** State Of U.P. Thorough Secy. Home Dept. Lucknow And Ors.

**Petitioner Counsel :-** H.D.Singh

**Respondent Counsel :-** C.S.C.

**(3) Case :-** SERVICE SINGLE No. - 4446 of 2011

**Petitioner :-** H.C. No. 952100605 Bhagwan Singh

**Respondent :-** State Of U.P. Through Secretary, Home Department, Civil Sec

**Petitioner Counsel :-** H.D.Singh

**Respondent Counsel :-** C.S.C.

**(4) Case :-** SERVICE SINGLE No. - 4515 of 2011

**Petitioner :-** Neeraj Kumar Singh

**Respondent :-** State Of U P Thr. Secy. Home & 2 Ors.

**Petitioner Counsel :-** Singh Vinod Kumar

**Respondent Counsel :-** C.S.C.

**AND**

**(5) Case :-** SERVICE SINGLE No. - 4284 of 2011

**Petitioner :-** H C No.9723203449 Ram Niwas Yadav

**Respondent :-** State Of U P Thr. Secy Home & 2 Ors

**Petitioner Counsel :-** H D Singh, Hari Kant

**Respondent Counsel :-** C.S.C

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**Hon'ble Ritu Raj Awasthi, J.**

Since all the aforesaid writ petitions are involving similar facts and circumstances, as such, they have been heard together and are being decided by a common order.

With the consent of parties' counsel, the writ petitions have been heard finally.

Heard Sri K.S. Pawar and Sri H.D.Singh, learned counsel for petitioners as well as learned Standing Counsel for the State and perused the records.

Learned counsel for petitioners submit that the petitioners had appeared in the examination for selection on the post of Sub Inspector Rankers for which written examination was held by the opposite parties. As per the instructions given in each question paper of the written examination, petitioners were required to fill up their roll number as well as the series on the OMR sheet and put their signatures at the prescribed place. They were also required to blacken the circles by black or blue ball point pen in the OMR sheet. It was also required that they shall not put any identity mark on the OMR Sheet otherwise their candidature would stand cancelled.

Learned counsel for petitioners submits that petitioners could not fill up the series on the OMR sheets and, as such, their answer-sheets have not been evaluated whereas in most arbitrary and discriminatory manner, the Board has examined the answer-sheets of several other similarly situated persons who had not followed the directions issued in this regard and have declared them successful in the written examination.

It is submitted that one Sri Dhananjay Singh Roll No.23011798 and PNO No.980501027 has been declared successful, although he had not filled up the series in the OMR sheet. The name of Dhananjay Singh does not find in the list of qualified candidates issued by the Board, however, he has been sent for training.

It is further submitted that 22 persons have been declared successful whose details have been given in the list of persons annexed as Annexure No. SA-4 to the Supplementary Affidavit dated 12.9.2012. They had not marked the encircles or had not entered the roll number as prescribed or had wrongly marked the circle, however, thier answer books were examined.

It is also submitted that opposite parties have also examined the answer-sheets of such other candidates who had not signed the declaration in the answer-sheet. As many as 17 persons had not signed

