IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2026
(Arising out of SLP(C) No. of 2026)
[Diary No(s).50269/2025]

JHARKHAND PUBLIC SERVICE COMMISISON & ANR. **APPELLANT(S)**

VERSUS

THE STATE OF JHARKHAND & ANR. **RESPONDENT(S)**

WITH

CIVIL APPEAL NO. OF 2026
(Arising out of SLP(C) No. of 2026)
[Diary No(s).49969/2025]

CIVIL APPEAL NO. OF 2026
(Arising out of SLP(C) No. of 2026)
[Diary No(s).50216/2025]

CIVIL APPEAL NO. OF 2026
(Arising out of SLP(C) No.21079/2025)

CIVIL APPEAL NO. OF 2026
(Arising out of SLP(C) No. of 2026)
[Diary No(s).50163/2025]

O R D E R

1. Application (IA No.335854/2025) for impleadment is allowed. The High Court of Jharkhand through its Registrar General is ordered to be impleaded as respondent no.2A. Cause title be amended accordingly.

2. Delay condoned.

3. Leave granted.

4. The issue that falls for consideration in the instant appeal is whether the High Court of Jharkhand, in exercise of its power of judicial review, rightly interfered in the particulars of the answer key published on 13.05.2024 of the

Preliminary Entrance Test held on 10.03.2024 for the recruitment of Civil Judge (Junior Division). The aforesaid preliminary examination was held pursuant to Advertisement No.22/2023 dated 14.08.2023. The High Court, through the impugned judgment, has, thus, after duly enumerating its analysis in paragraph 32 of the same, concluded in paragraph 33 that the three answers given by the appellant – Public Service Commission, question nos. 8, 74, 96 in booklet 'A' are incorrect. Consequently, the High Court directed that one mark be given to the candidates who answered option (A) in question no.8 in booklet 'A' and delete question nos. 74 and 96 in booklet 'A' from consideration.

5. The High Court, however, vide the impugned judgment, has held that in the absence of an express provision in the statute, rules or regulations governing the examination, re-evaluation of the answer sheets is impermissible.

6. We have heard learned senior counsel for the appellant – Public Service Commission, learned counsel for the High Court, as well as learned senior counsel, appearing on behalf of the candidates, who approached the High Court under its writ jurisdiction.

7. It may be true that the subject examination pertains to recruitment to judicial services and as such the Hon'ble Judges of the High Court, keeping in view their vast experience on Bar and Bench, are expected to have a better understanding and appreciation of the questions that were

put to the candidates in the examination. However, even if it is accepted as an undisputed fact, the question remains whether the power of judicial review in the matter of re-evaluation, re-appreciation, or re-consideration of the answer key would apply uniformly, irrespective of the nature of the examination. In this regard, it seems to us that the High Court cannot assume the role of super-examiner/subject expert, and such an exercise should ordinarily be left to the domain experts.

8. The stance taken on behalf of the Public Service Commission clearly indicates that the answer key was duly vetted by the High Court on the administrative side. If that is the case, it is necessary for the High Court, while exercising its judicial authority, to have referred the matter to the respective Committee of the High Court, as well as to the Public Service Commission, for the formation of an additional Committee comprising subject experts, including eminent law professors as domain field experts, with one of the members being a Professor of English, to provide assistance and guidance. This would enable such experts to reassess the answer key concerning questions nos. 8, 74, and 96. The High Court ought not to have assumed this responsibility while exercising its power of judicial review. However, the High Court has rightly restated the settled legal position that there cannot be a re-evaluation of an answer sheet unless the rules, regulations or policy

expressly provide so.

9. For the reasons afore-stated, we allow these appeals in part and set aside paragraph nos.33, 36, 39, 40 & 41. The matters are referred to the Committee constituted by the High Court on the administrative side to re-examine the answer key in respect of the disputed questions and send its opinion to the Public Service Commission for necessary follow-up action. Let the needful be done within two weeks.

10. We request the High Court to conclude the pending selection process expeditiously.

11. It is clarified that we have not expressed any opinion on the merits of the disputed questions or the answer key.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(N.V. ANJARIA)

NEW DELHI;
FEBRUARY 09, 2026

ITEM NO.1+20+41 COURT NO.1 SECTION XVII-B

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

SPECIAL LEAVE PETITION (CIVIL)……. Diary No(s). 50269/2025

[Arising out of impugned final judgment and order dated 25-04-2025 in WPS No.4178/2024 passed by the High Court of Jharkhand at Ranchi]

JHARKHAND PUBLIC SERVICE COMMISISON & ANR. Petitioner(s)

VERSUS

THE STATE OF JHARKHAND & ANR. Respondent(s)

(IA No. 32901/2026 - CONDONATION OF DELAY IN FILING, IA No.32903/2026 - CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS IA No. 32902/2026 - EXEMPTION FROM FILING O.T.)

WITH
Diary No(s). 49969/2025 (XVII-B)
(IA No.36522/2026 - CONDONATION OF DELAY IN FILING, IA No.36524/2026 - CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS IA No. 36523/2026 - EXEMPTION FROM FILING O.T.)

Diary No(s). 50216/2025 (XVII-B)
(IA No.32787/2026 - CONDONATION OF DELAY IN FILING, IA No.32791/2026 - CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS IA No. 32789/2026 - EXEMPTION FROM FILING O.T.)

Item No.20

Petition(s) for Special Leave to Appeal (C) No(s).21079/2025

IA No. 181494/2025 - EXEMPTION FROM FILING O.T.
IA No. 335854/2025 - INTERVENTION/IMPLEADMENT

Item No.41

SPECIAL LEAVE PETITION (CIVIL)…….. Diary No(s).50163/2025

IA No. 40034/2026 - CONDONATION OF DELAY IN FILING, IA No.40038/2026 - CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS, IA No. 40040/2026 - EXEMPTION FROM FILING O.T.

Date : 09-02-2026 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) :Mr. Sunil Kumar, Sr. Adv.
Mr. Himanshu Shekhar, AOR
Mr. Parth Shekhar, Adv.
Mr. Shubham Singh, Adv.
Mr. Youkteshwari Prasad, Adv.
Mr. Vijay Singh, Adv.
Mr. Mukesh Kumar, Adv.
Mr. Nikhil Kumar, Adv.
Mr. Mata Prasad Pathak, Adv.
Mr. Rajmani Mohanty, Adv.
Mr. Kirtikar Sukul, Adv.
Mr. Manoj Kumar Bansiwal, Adv.
Mr. Binod Kumar Singh, Adv.

Mr. Sunil Kumar, Sr. Adv.
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Mr. Vijay Singh, Adv.
Mr. Nikhil Singh, Adv.
Mr. Arvind Kumar, Adv.
Mr. Mata Prasad Pathak, Adv.
Mr. Kirtikar Sukul, Adv.
Mr. Rajmani Mohanty, Adv.
Mr. Manoj Kumar Bansiwal, Adv.
Mr. Ashutosh Kumar Mishra, Adv.
Mr. Mukesh Kumar Verma, Adv.

For Respondent(s) : Mr. Ravi Shankar Jandhyala, Sr. Adv.
Mr. Sravan Kumar Karanam, AOR
Mr. Kumar Abhishek, Adv.
Mr. P. Venkatraju, Adv.
Mr. Nagesh Sharma, Adv.
Mr. Santosh Kumar Yadav, Adv.

Mr. Anurag Ojha, AOR

Mr. Aditya Bharat Manubarwala, Adv.
Ms. Tanishka Grover, Adv.
Mr. Harsh Tyagi, Adv.
Ms. Charvi Virmani, Adv.
Ms. Sreejoni Baruah, Adv.
Mr. Bharat Thakorlal Manubarwala, AOR

UPON hearing the counsel the Court made the following

O R D E R

1. Application (IA No.335854/2025) for impleadment is allowed. The High Court of Jharkhand through its Registrar General is ordered to be impleaded as respondent no.2A. Cause title be amended accordingly.

2. Delay condoned.

3. Leave granted.

4. The appeals are allowed in part in terms of the signed order.

5. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR

(signed order is placed on the file)