

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). OF 2026
(Arising out of SLP(C) No(s). 21999/2024)

SHUBHAM PAL & ORS.

APPELLANT(S)

VERSUS

STAFF SELECTION COMMISSION & ANR.

RESPONDENT(S)

WITH

CIVIL APPEAL NO(S). OF 2026
(Arising out of SLP(C) No(s). 22002/2024)

CIVIL APPEAL NO(S). OF 2026
(Arising out of SLP(C) No(s). 1590-1591/2025)

SPECIAL LEAVE PETITION NO(S). OF 2026
(Arising out of @ Diary No(s). 8945/2025)

O R D E R

CIVIL APPEALS @ SLP(C)NOS.21999/2024, 22002/2024 & 1590-1591/2025

1. Leave granted.
2. The Staff Selection Commission (for short, 'the Commission') of the Department of Personnel & Training (for short 'the DoPT') under the Ministry of Personnel, Public Grievances and Pensions issued a Notification dated 03.04.2023 for Combined Graduate Level Examination, 2023. The appellants (in Civil Appeals @ SLP(C)NOS.21999/2024 and 22002/2024)

respectively before us applied to appear in the examination in pursuance of the notification referred to above. The appellants were in a position to clear Tier-1 of the examination. Thereafter, they appeared for the Tier-2 examination on 26.10.2023. The Commission published a provisional answer key and thereby instructed the candidates to ascertain the preliminary scores.

3. On 04.12.2023, the Commission published the final result based on the revised answer key dated 30.11.2023. In the final result declared by the Commission, the names of the appellants (in Civil Appeals @ SLP(C)NOS.21999/2024 and 22002/2024) respectively before us did not figure.

4. In such circumstances referred to above and being dissatisfied with certain questions and the correct answer keys, they preferred a writ petition before the Delhi High Court and prayed for the following reliefs:-

"a. ISSUE an appropriate Writ, Order or Direction in the Nature of MANDAMUS or any other Writ to the Respondents thereby declaring that SSC CGL Examination- 2023 is erroneous, faulty, defective & discriminatory and violative of Article 14, 19 and 21 of the Constitution of India:

b. ISSUE an appropriate Writ Order or Direction in the Nature of MANDAMUS or any other Writ to the Respondents thereby directing the Respondent No. 1 to re-evaluate/rechecking/re-totalling the Question ID: 264330172912, Question ID: 264330164754 and Question ID: 264330162641, Question ID: 264330164417, Question ID:

264330172352, Question ID: 264330173697, and Question ID: 264330171997 and its corresponding questions asked in SSC CGL Examination-2023 and release a fresh result dated 15.12.2023 for one Hours;

c. The petitioner respectfully requests that this Hon'ble court, in its wisdom, may constitute an expert committee for the purpose of rechecking the answer key pertaining to the questions raised by the petitioner in the present petition.

d. Issue a Writ of Mandamus or Any Other Appropriate Writ, order or Direction Under Article 226 of the Constitution directing the Respondent No.1 to permit reevaluation of answer scripts of candidates who appeared in Examination conducted on 26.10.2023.

e. Pass appropriate writ order or direction(s) to the Respondent No.1 to re-evaluate/re-checking/re-totalling the Petitioners papers.

f. Stay on ongoing joining procedure until the answer key is reevaluated or link the joining procedures final outcome to the court's final decision in this petition case."

5. A learned Single Judge of the High Court after hearing all the parties concerned and upon looking into the report of the Experts' thought fit not to interfere in the matter. While rejecting the writ petition, the learned Single Judge observed in paras 25, 26, 27, 28, 29 & 30 respectively, as under:-

"25. Though, there are catena of judgments passed by the Supreme Court as well the learned Division Benches & Coordinate Benches of this Court, the law as evolved has

been concluded into certain propositions, duly summarized by the Supreme Court in Ran Vijay Singh V. State of U.P., reported in (2018) 2 SCC 357, which are 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:

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.

31. On our part we may add that sympathy or compassion does not play any role in the matter of directing or not directing re-evaluation of an

answer sheet. If an error is committed by the examination authority, the complete body of candidates suffers. The entire examination process does not deserve to be derailed only because some candidates are disappointed or dissatisfied or perceive some injustice having been caused to them by an erroneous question or an erroneous answer. All candidates suffer equally, though some might suffer more but that cannot be helped since mathematical precision is not always possible. This Court has shown one way out of an impasse – exclude the suspect or offending question.

32. It is rather unfortunate that despite several decisions of this Court, some of which have been discussed above, there is interference by the courts in the result of examinations. This places the examination authorities in an unenviable position where they are under scrutiny and not the candidates. Additionally, a massive and sometimes prolonged examination exercise concludes with an air of uncertainty. While there is no doubt that candidates put in a tremendous effort in preparing for an examination, it must not be forgotten that even the examination authorities put in equally great efforts to successfully conduct an examination. The enormity of the task might reveal some lapse at a later stage, but the court must consider the internal checks and balances put in place by the examination authorities before interfering with the efforts put in by the candidates who have successfully participated in the examination and the examination authorities. The present appeals are a classic example of the consequence of such interference where there is no finality to the result of the examinations even

after a lapse of eight years. Apart from the examination authorities even the candidates are left wondering about the certainty or otherwise of the result of the examination – whether they have passed or not; whether their result will be approved or disapproved by the court: whether they will get admission in a college or university or not; and whether they will get recruited or not. This unsatisfactory situation does not work to anybody's advantage and such a state of uncertainty results in confusion being worse confounded. The overall and larger impact of all this is that public interest suffers."

26. That apart, a number of judgments have held that only when the Court is convinced that the answer key is "demonstrably wrong" that the Court may exercise its power of judicial review. In case, there is any doubt or there is a possibility of two answers, the doubt has to be resolved in favour of the Examination Authority alone. If the Subject Matter Expert is able to give an analysis which appears to be reasonably intertwined with the subject itself, the Courts would be loath in interfering with such conclusion. Though there is no absolute bar for such proposition and may depend on the facts of each case.

27. Ms. Lakra had handed over to this Court the Notes/ Analysis of the Subject Matter Experts in regard to the questions in controversy.

28. In order to do complete justice, so that the petitioners do not feel that the Court has not examined the grievances, the following paragraphs shall refer to the analysis given by the Subject Matter Experts on the disputed questions.

29. The relevant portion of the analysis of the Subject

Matter Experts on the questions regarding which Ms.Hingorani had pointedly argued, are extracted hereunder:-

QUESTION ID - 264330172912 (General Awareness)

Which of the following options represents the total income earned by individuals from all the sources before deductions of personal income taxes?

1. National income
2. Disposable income
3. Gross income
4. Personal income

| TENTATIVE ANSWER KEY | FINAL ANSWER KEY |
|--------------------------|-----------------------|
| Answer – Personal Income | Answer - Gross Income |
| | |

Note/Analysis of the Subject Matter Experts

Personal Income (PI) = NI - Undistributed profits - Net interest payments made by households - Corporate tax + Transfer payments to the households from the government and firms.

Gross Income is the broadest measure of income, encompassing all earning before any adjustments or deductions, making it the most inclusive option among the given choices. A) (PI) and Personal Disposable Income (PDI) from the broader concept of National Income (NI)

Personal Income (PI) here is deducted from national income on a macro-economic level scale as mentioned in the excerpt of the NCERT talks about the personal income of ALL THE INDIVIDUAL HOUSEHOLDS of a country and not individual person.

In the page provided as evidence in support from the NCERT book mentions neither ALL INDIVIDUALS nor INDIVIDUAL personal income but states the HOUSEHOLDS personal income calculation.

It is imperative that deduction of corporate tax and interest payments by HOUSEHOLDS when deducted from national income cannot provide the personal income of an individual before taxes.

The question specifically asked for total income from all sources of INDIVIDUALS on a personal level as

single natural person not units of individual or households.

QUESTION ID - 264330164754
(English Language and Comprehension)

Select the option that rectifies the underlined part of the given sentence. In case no correction is needed, select 'No correction required'. Cinema provides the most universal entertainment.

1. a universal
2. an universal
3. more universal
4. No correction required

| <u>TENTATIVE ANSWER KEY</u> | <u>FINAL ANSWER KEY</u> |
|------------------------------------|---------------------------------|
| Answer - a universal | Answer - No correction required |
| | |

Note/Analysis of the Subject Matter Experts

The statement "Cinema is the most universal entertainment" is grammatically correct and can be analyzed using the rules of grammar:

1. Subject and Verb Agreement : "Cinema (subject) agrees with the singular verb "is".
2. Definite Article: "The" is used before "most universal", indicating specificity and singularity.
3. Superlative Construction: "Most" is used to form the superlative, indicating that among all forms of entertainment, cinema holds the highest degree of universality.
4. Adjective Use: "Universal" is an adjective modifying the noun "entertainment", describing the quality of entertainment being discussed.
5. Correct Noun Form: "Entertainment" functions as the object of the verb "is" "Universal" is a two-syllable adjective. The superlative form is correctly used with "most" to convey the highest degree of universality. Therefore, the sentence is grammatically correct within the context of forming comparatives and superlatives for two-syllable adjectives.

However, language is dynamic and common usage sometimes deviates from strict grammatical rules. In everyday language, you may

encounter "most universal" to convey a heightened sense of universality, even if it might be considered nonstandard in more formal or prescriptive grammatical context.

OXFORD website itself allows the use of "most universal" on their official website as a valid usage of English in accordance to the rules of grammar. It is grammatically sound as well as acceptable form of speech.

90. Adjectives expressing qualities that do not admit of different degrees
cannot, strictly speaking, be compared; as,
square, round, perfect, eternal,
universal, unique.
Strictly speaking, a thing cannot be more square,
more round, more perfect.
But we say, for instance.
This is the most perfect specimen I have seen....

Here it is clearly seen within the reference given by petitioner that even though ideally most is an adjective not used in front of already superlative objective like perfect. But the book itself quotes "But we say, for instance, this is the most perfect specimen I have seen. "

QUESTION ID - 264330164417
(English Language and Comprehension)

Select the option that expresses the given sentence in passive voice.

Access denied.

- I. Let it be known that the access will be denied.
2. Access has been denied.
3. Access is being denied.
4. Let the access be denied.

| <u>TENTATIVE ANSWER KEY</u> | <u>FINAL ANSWER KEY</u> |
|------------------------------------|-----------------------------------|
| Answer-Let the access be denied. | Answer - Let the access be denied |
| | |

Note/ Analysis of the Subject Matter Experts

To constitute active voice a VERB does an action on the subject. DENIED is a valid verb that creates an action on the subject of access by denying/stopping it.

Similarly, the subject is also access. A phrase can be considered in the active voice with only a subject and a verb, and it doesn't necessarily require an object. In an active voice sentence, the subject performs the action expressed by the verb. While many complete sentence include both are subject and an object, it's not a strict requirement for a sentence to be considered in the active voice. Whilst the general structure does include sub+verb+obj it is only a general guideline and by implied inference denied phrase can only be used in an active manner without any object.

QUESTION ID - 264330172352 (Mathematical Abilities)

If $P(A \cup B) = 5/9$, $P(\bar{A} \cup B) = 13/27$, $P(A) = 11/18$, then the odds against the event B are:

1. 7/57
2. 38/17
3. 29/25
4. 47/7

| <u>TENTATIVE ANSWER KEY</u> | <u>FINAL ANSWER KEY</u> |
|------------------------------------|--------------------------------|
| Answer- 29/25 | Answer- 29/25 |

Note/Analysis of the Subject Matter Experts

<https://www.youtube.com/watch?v=2RwT3B01GNk> explanation of the answer in between time stamps 02:11 - 09:53

QUESTION ID - 264330171997 (Reasoning and General Intelligence)

How many meaningful English words can be formed with the second, fourth, fifth and sixth letters of the word HOCKEY (when counted from left to right) using each letter only once in each word?

1. Two.
2. One.
3. Zero.
4. Three.

| <u>TENTATIVE ANSWER KEY</u> | <u>FINAL ANSWER KEY</u> |
|------------------------------------|--------------------------------|
| Answer- One | Answer- Two |

Note/Analysis of the Subject Matter Experts

Two words can be formed from the letters o, k, e, y -

Yoke - A yoke is a wooden beam sometimes used between a pair of oxen or other animals to enable them to pull together on a load when working in pairs, as oxen usually do; some yokes are fitted to individual animals.

Okey-key (Turkish Pronunciation : [okej]) is a tile based game. The aim of the game is to score points against the opposing players by collecting certain groups of tiles. Okey is usually played with four players, but can also be played with only two or three players. It bears resemblance to the game Rummikub, as it is played with same set of boards and tiles, but under a different set of rules.

Explanation provided in the SME Confidential Report:-

While "okay" is more commonly used, variations like "okey" may be informal or, specific to certain contexts. "Okey" is a less common variant of the word "Okay", which is used to express agreement, approval, or acknowledgment. It's an informal term that signifies acceptance or understanding in a casual context. It is used as an adjective as another form of Ok. Please check the sentence in Oxford Dictionary page "everything is okey dokey, now. This signifies that Okey is a word used as informal term that signifies acceptance or understanding in a casual context.

30. On an overall conspectus of having considered the analysis given by the Subject Matter Experts of three different subjects, the rationale appears to be plausible. The analysis and the reasoning given by the Subject Matter Experts in respect of each of the doubted questions appear to be well researched. This Court is limited in its test of judicial review only to the extent of observing as to whether the experts have indeed applied their mind to the doubted questions and have rendered an analysis and the conclusion on material which is tangible and clear. The concerned Subject Matter Experts in the subjects of General Awareness, English Language and Comprehension and Mathematical

Abilities have, in their analysis referred to the manner in which the questions were formulated and the projected answers in respect of those questions."

6. The appellants (in Civil Appeals @ SLP(C)NOS.21999/2024 and 22002/2024) being dissatisfied with the judgment and order passed by the learned Single Judge went in appeal before the Division Bench of the High Court. The Division Bench of the High Court, after looking into the findings recorded by the learned Single Judge, thought fit not to interfere and accordingly dismissed the appeal(s) thereby affirming the judgment and order passed by the learned Single Judge.

7. In such circumstances, referred to above the appellants (in Civil Appeals @ SLP(C)NOS.21999/2024 and 22002/2024) are here before us with the present appeals.

8. We heard Mr.Luv Virmani, the learned counsel appearing for the appellants at length. He took pains in taking us to all the relevant questions and the disputed answers. He tried his best to make us understand why the four disputed questions in some way or the other, are wrong or the answer keys are wrong. He vehemently submitted that it is a question of the entire career of his clients and they should not suffer because of some mistake committed by the examining committee.

9. In such circumstances referred to above, he submitted that there being merit in his appeals the same be allowed and the relief prayed for, be granted.

10. On the other hand, Mr.S.D.Sanjay, the learned Additional Solicitor General appearing in some of the appeals and Ms.

Archana Pathak Dave, the learned Additional Solicitor General appearing in some of the other appeals, would submit that no error, not to speak of any error of law, could be said to have been committed by the High Court in passing the impugned order.

11. According to both the learned ASGs, it's been now two years, the results came to be declared and the appointments have been finalized. Any interference at this point of time may create lot of difficulties for both the candidates and the Commission. In such circumstances they prayed that there being no merit in the appeals of the candidates, those may be dismissed.

12. Having given our thoughtful consideration to all the relevant aspects of the matter, we are of the view that we should not interfere in the matter. As held by this Court in *Ran Vijay Singh & Ors. v. State of Uttar Pradesh & Ors.* reported in (2018) 2 SCC 357, the Court should presume the correctness of the key answers and proceed on that assumption. In *Ran Vijay Singh (supra)*, this Court also said that in the event of a doubt, the benefit should go to the examination authority rather than to the candidate. In these types of cases sympathy or compassion have no role to play. Courts should be very loath in matter of directing or not directing re-evaluation of an answer sheet.

13. In view of the aforesaid, the appeals preferred by Shubham Pal & Ors., and the connected appeal of Rakshit Kumar & Ors., (i.e. Civil Appeals @ SLP(C)Nos.21999/2024,

22002/2024) stand dismissed.

14. We have one another set of appeals @ SLP(C)Nos.1590-1591/2025 before us filed at the instance of Staff Selection Commission & Ors. These appeals are directed against a finding recorded by the learned Single Judge as affirmed by the Division Bench of the High Court with respect to question ID-264330171997. The findings recorded by the learned Single Judge, in this regard as contained in paras 32 and 34 respectively read thus:

"32. However, with respect to Question ID - 264330171997 regarding how many meaningful English words can be formed from the specified 4 letters of the word "HOCKEY", the Tentative Answer Key referred to "One" as the answer. However, the Final Answer Key referred to "Two" as the answer. The Subject Matter Expert has reasoned that "Yoke" is one word and the other "okey-dokey" and also referred to a Turkish card game called "Okey". This Court is unable to agree with the Experts on this question. What was asked was ''meaningful English words" as per the question. The word "okey-dokey" appears in the Shorter Oxford English Dictionary (Sixth Edition), Volume - 2: N-Z, published by Oxford University Press, of the year 2007 and appears to be synonymous to the word "okay", but surely does not consist only of 4 letters of the word HOCKEY and the word "okey" read alone does not appear to be "meaningful". So far as the word "okey" stated to be a Turkish game is concerned, by no stretch of imagination, can the same be called a "meaningful word" of "English" language. Surely, the name of a game cannot be said to be a meaningful English word, particularly a Turkish

game. The game originally may be pronounced in such manner but has no relevance to the doubted question. Thus, it is clear that the Final Answer Key in respect of this question, is incorrect. This Court has ventured to examine this question as the alternate word appeared to be, on the face of it, incorrect.

XXXXXXXXXXXX

34. Resultantly, all the candidates who filled "one" (denoting one word) as the answer to Question ID – 264330171997 become eligible for additional marks and the respondents are directed accordingly and consequently, to publish the altered results."

15. Having heard the learned counsel appearing for the parties, applying the dicta in *Ran Vijay Singh* (supra) and having visualized the consequences that may follow with the direction issued by the learned Single Judge as contained in para 34, we are of the view that we should allow the appeals preferred by the Staff Selection Commission.

16. In the result, the appeals preferred by the Staff Selection Commission stand allowed i.e. civil appeals @ SLP(C)Nos.1590-1591/2025. The relevant part of the direction issued by the learned Single Judge i.e. para 34 as affirmed by the Division Bench of the High Court is hereby set aside.

17. All pending applications including IA No. 171211/2025 (for impleadment in Civil Appeal @ SLP(C)No.21999/2024) shall stand disposed of.

Diary No(s). 8945/2025

1. Delay condoned.

2. In view of the order passed referred to above, the Special Leave Petitions are disposed of.

3. Pending application(s), if any, shall also stand disposed of.

.....J.
[J.B. PARDIWALA]

.....J.
[K.V. VISWANATHAN]

NEW DELHI;
FEBRUARY 03, 2026.

ITEM NO.25

COURT NO.7

SECTION XIV

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

Petition(s) for Special Leave to Appeal (C) No(s). 21999/2024

[Arising out of impugned final judgment and order dated 27-05-2024 in LPA No. 202/2024 passed by the High Court of Delhi at New Delhi]

SHUBHAM PAL & ORS.

PETITIONER(S)

VERSUS

STAFF SELECTION COMMISSION & ANR.

RESPONDENT(S)

IA No. 202947/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 202946/2024 - EXEMPTION FROM FILING O.T., IA No. 171211/2025 - INTERVENTION/IMPLEADMENT, IA No. 204294/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

WITH

SLP(C) No. 22002/2024 (XIV)

IA No. 202841/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

SLP(C) No. 1590-1591/2025 (XIV)

IA No. 285611/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Diary No(s). 8945/2025 (XIV)

IA No. 128258/2025 - CONDONATION OF DELAY IN FILING, IA No. 128259/2025 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS

Date : 03-02-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. J. Sai Deepak, Sr. Adv.

Mr. Sarvam Ritam Khare, AOR

Mr. Luv Virmani, Adv.

Mr. Avinash K Sharma, Adv.

Mr. Avinash Kumar Sharma, Adv.

Mr. R Abhishek, Adv.

Mr. Kushagra Sharma, Adv.

Mr. Akarsh Khare, Adv.

Mr. Shreekant Neelappa Terdal, AOR

Mr. Divyesh Pratap Singh, AOR

For Respondent(s) Mr. Sarvam Ritam Khare, AOR
Mr. Luv Virmani, Adv.
Mr. Avinash K Sharma, Adv.
Mr. R. Abhishek, Adv.
Mr. Kushagra Sharma, Adv.
Mr. Akarsh Khare, Adv.

Mr. S.D.Sanjay, A.S.G.
Ms. Archana Pathak Dave, ASG/Sr.Adv.
Mr. Piyush Beriwal, Adv.
Mr. Amit Sharma-ii, Adv.
Mr./Ms.B.L.Shivani, Adv.
Ms. Aarushi Singh, Adv.
Mr. Jagdish Chandra, Adv.
Mr. Santosh Ramdurg, Adv.
Mr. Yogesh Vats, Adv.
Mr. Shreekant Neelappa Terdal, AOR
Mr. Divyam Aggarwal, Adv.
Mr. Khushal Kolwar, Adv.
Mr. Akshat Agarwal, Adv.
Mr. Shubham Prakash Mishra, Adv.
Ms. Parthvi Ahuja, Adv.
Ms. Nikita Sethi, Adv.
Ms. Navroop Jawanda, Adv.

Mr. Luv Virmani, AOR

Mr. Luv Virmani, AOR

UPON hearing the counsel the Court made the following
O R D E R

SLP(C)No(s). 21999/2024 and 22002/2024

1. Leave granted.
2. The appeals are dismissed in terms of the signed order, which is placed on the file.
3. Pending application(s), if any, shall stand disposed of.

SLP(C)No(s). 1590-1591/2025

1. Leave granted.
2. The appeals are allowed in terms of the signed order, which is placed on the file.

3. Pending application(s), if any, shall stand disposed of.

Diary No(s). 8945/2025

1. Delay condoned.

2. The special leave petitions are disposed of in terms of the signed order, which is placed on the file.

3. Pending application(s), if any, shall also stand disposed of.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)