

WP(C) 7301/2017

B E F O R E

HON'BLE MR. JUSTICE ACHINTYA MALLA BUJOR BARUA

The controversy in this writ petition arises to the correct answer to the question appearing in the written examination of Combined Competitive (Prelim) Examination, 2016 conducted by the APSC that an act done by the Government servant in exercise of statutory power is a defence and the options were (A) if it is in exercise of sovereign function (B) if it is in exercise of non-sovereign function (C) if it is a Constitutional Act and (D) None of the above.

Mr. C Baruah, learned Standing counsel, APSC has stated that initially the authorities had adopted option 'A' to be the correct answer, but upon receiving some applications from the candidates, the authorities upon examination had changed the correct answer to option 'D'.

Mr. HK Das, learned counsel for the petitioner shall make the legal submission as to whether the correct answer is option 'A' or option 'D'.

List again on 13.12.2017.