

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 22623 of 2012 (O&M)
Date of decision: March 25, 2015

Kerrein Sharma

...Petitioner

Versus

Punjab School Education Board

...Respondent

CORAM:- HON'BLE MR. JUSTICE K. KANNAN

1. **Whether Reporters of local papers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest?**

Present: Dr. Indu Sharma, in person.

Mr. GS Bal, Senior Advocate with
Mr. Mohan Singla, Advocate,
for the respondent.

K. KANNAN, J. (Oral)

1. The writ petitioner seeks for re-checking (an euphemism employed for revaluation) of written theory paper since the petitioner is not satisfied with the result of the examination. I heard the petitioner through her mother and attempt by her was to point out that questions No. 8, 10 and 12 have not been correctly appraised and the marks have not been given to her, although the answers are correct and conform to the answers provided in well known text books.

2. Since the answer was subjective type there was bound to be variations in appraisal and I, therefore, wanted to convince myself that the over all valuation was not far off the mark and the examiner had not omitted to note the correct responses but made wrong assessment. I had directed,

therefore, the matter to be placed before the Head of Department of Biology,

Punjab University for re-appraisal of the answer sheet. I was exercising a very limited jurisdiction available with the court for re-appraisal of the answer sheet of subjective type answers. The Supreme Court has held in C.B.S.E. and another Versus Aditya Bandopadhyay and others (2011) 8 SCC 497 that even a provision barring a student for seeking re-evaluation and restricting the re-appraisal only for totalling was valid. In the said judgment the court has also outlined the limited jurisdiction the courts have in the matter of directing re-valuation of the answer sheets. The report has been received in the sealed cover which was opened in the court only to note that the examiner finds the appraisal already made to be correct and it would not require to be modified. Under the circumstances, it is not possible to secure the relief which the petitioner seeks for through the petition.

3. The writ petition is dismissed.

March 25, 2015
prem

(K.KANNAN)
JUDGE