

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

**CWP No.23231 of 2015
Decided on : 09.11.2015**

Sangeeta

... Petitioner

Versus

Board of School Education Haryana

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. Sant Lal Barwala, Advocate
for the petitioner.

Mr. R.K. Sheoran, Advocate
for the respondent.

G.S. Sandhawalia , J. (Oral)

The present petition has been filed for directing the respondents to consider the online application form (Annexure P-3) of the petitioner in the subject to Music in level-3 and issue a admit card for sitting in the Haryana Teacher Eligibility Test 2014-15, which is to be held on 14.11.2015.

It is the case of the petitioner that the respondent-Board had invited application for the abovesaid test on 15.06.2015 and she had applied on 23.06.2015 and received a registration No.6136410. The particulars could be corrected from 03.07.2015 to 05.07.2015 and the petitioner on 06.07.2015 found that she had inadvertently applied for the subject of Hindi instead of Music in Level-3 (Post Graduate Teacher), whereas, she was eligibile for

the subject of Music.

She had made a request on 07.07.2015 by visiting the office of the respondent and even by submitting the application for correction on 08.07.2015 (Annexure P-4) but no response has been received. She would suffer an irreparable loss if the correction is not made and she would loose an opportunity in the employment, since the passing of the test was necessary for serving in public and private schools and respondent would not loose nothing if she was issued fresh admit card for the subject of Music.

Reliance was placed upon **CWP No.17147 of 2015** titled '**Babli Kumari Vs. Board of School Education Haryana, Bhiwani**' decided on 24.09.2015, in which in similar circumstances correction had been ordered.

In the reply filed by the Board today the plea is taken that during the period fixed for correction, the petitioner had not made any effort and applied thereafter on 08.07.2015. The same was not considered as she was not entitled for correction after the notified date. Exams centre had already been allotted to all the candidates including the petitioner at Panipat-1 Arya PG College and there was no other candidate in the test centre having subject Music, which is now the choice of the petitioner and therefore the rescheduling of the exams centre would take place for the

examination which is to be held on 14.11.2015. The question papers had also been printed and, therefore, there was a difficulty.

Admittedly, the petitioner has already made an application for sitting in the examination for the Level-3. It is not disputed that she applied for correction on 08.07.2015 well in advance almost 3 months before the exams, but no action was taken by the Board on account of the conditions. Therefore, the examination also got postponed from the original notified date. It is not the case of the Board that by allowing the petitioner to correct the subject will prejudice the Board or any other candidate.

It is settled principle that filing of the application is a mere procedural formality and by not allowing the petitioner to sit in the examination would seriously prejudice her and would cause her to be out of the zone of consideration for a period of one year or till the next test is held.

In such circumstances, keeping in view the above discussion, since the application has been filed immediately after the prescribed period, this Court is of the opinion that present writ petition is liable to be allowed. Accordingly, direction is issued to the respondent-Board to change the petitioner's subject from Hindi to Music in level-3 on payment of necessary additional fee which will be deposited by the petitioner with the respondent-Board within a period of 2 days. The requisite roll number be issued

immediately thereafter and Board shall make all necessary arrangements to provide the question paper in the abovesaid subject.

With the abovesaid observations, the present writ petition is allowed.

Copy of this order be given *dasti* under the signatures of Special Secretary of this Court.

NOVEMBER 09, 2015
Naveen

(G.S. SANDHAWALIA)
JUDGE