

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

CWP-21879-2015

Date of decision: January 18, 2016

VIKASDEEP

.....Petitioner

Versus

UNION OF INDIA AND ANOTHER

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: MR. SATBIR GILL, Advocate
for the petitioner.

SABINA, J

Petitioner has filed this petition under Article 226 of the Constitution of India for the issuance of a writ in the nature of certiorari seeking quashing of impugned order dated 11.2.2015 (Annexure P6).

The case of the petitioner, in brief, was that he had applied for the post of Head Constable advertised by the respondents. Petitioner appeared for the skill/typing test and qualified the same as his typing speed was found 41.83 words per minute. However, later it was informed that the typing speed of the petitioner was 25.10

words per minute. Consequently, it was held that the petitioner had failed in skill/type test as he was required to type 35 words per minute.

Learned counsel for the petitioner has submitted that the typing speed of the petitioner was, initially, found to be 41.83 words per minute and later he was informed that his type speed was 25.10 words per minute. The said action of the respondent was illegal and unjustified.

Annexure P6 is the impugned order. A perusal of the same reveals that, admittedly, petitioner was, initially, informed that his typing speed was 41.83 words per minute. However, later it transpired that the software which was prepared by the Computer Institute to conduct the skill/type test held in Jodhpur Recruitment Centre was not correct and there was some technical error in the same. The result had been calculated on the basis of three key depression per word instead of five key depression per word. Due to this reason, the mistake in calculation of type/skill had occurred. When the typing speed was assessed on the basis of five key depression, it was found that the speed of petitioner was 25.10 words per minute, whereas, minimum requirement to qualify type test was 35 words per minute.

Thus, in the present case, it cannot be said that there was any mala fide on the part of the respondents. Rather, the mistake had occurred in the software due to technical error. In this regard, the letter sent by Scope Computers to the respondents was also attached with the impugned order as Annexure P7.

In the facts and circumstances of the present case, no ground warranting interference by this Court while exercising jurisdiction under Article 226 of the Constitution of India is made out.

Dismissed.

**(Sabina)
Judge**

January 18,2016

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