

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

Civil Writ Petition No.25706 of 2015

Date of decision: 2.8.2016

Jasmeen Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

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

Present: Mr. Dilpreet Singh Gandhi, Advocate for the petitioner.

Ms. Lavanya Paul, Assistant Advocate General, Punjab

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks correction in the certificate of Punjab State Teacher Eligibility Test (PSTET) dated 19.6.2013 (Annexure P/4) wherein she has been shown as “Differently Abled-Locomotor Impaired” candidate.

The case of the petitioner is that she had applied as general category candidate vide application (Annexure P/1) and accordingly Admit Card/Roll Number (Annexure P/2) was also issued as such. However, in the final result she has been shown as “Differently Abled-Locomotor Impaired” candidate. Her request for correction has been rejected on 1.12.2015 (Annexure P/5) on the ground that the category mentioned in the certificate is as per the application which she had filled up.

The file containing application of the petitioner has been produced in Court today. A perusal thereof would go on to show that there are various discrepancies in the same in as much as the print ID is different in the application (Annexure P/1) and photocopy of application form with the respondent No.2 on which the photograph of petitioner was pasted. Annexure P/1 bears the print ID: “b1e975c6-9fe” whereas photocopy of the

application which is with the respondent bears Print ID “6faa96f2-bcd”. The column of 'Differently Abled' in the application (Annexure P/1) is mentioned as blank whereas column of 'Differently Abled' in the photocopy of the application with the respondent is filled up as “Yes-Locomotor Impaired (Ortho)”. The photograph on the application (Annexure P/1) is not pasted whereas there is photograph pasted on the photocopy of the application with the respondent.

Counsel for the petitioner has stressed that candidate was required to take a print and paste the photograph and to send to the Post Box 1828, Post Office, Sector 62, Mohali, Pin-160062.

On instructions from Mr. Ashwani Kumar, Senior Assistant, SCERT, counsel for the State submits that this was a special Post Box and was created for respondent no.3 who was entrusted with the responsibility of the said examination and receiving of the applications.

Counsel for the petitioner has also further stressed that as per file which has been produced today, the original application form of the petitioner is not there and therefore reliance on the photocopy cannot be placed to submit that the petitioner had herself filled up the column of 'Differently Abled' in the application as “Yes-Locomotor Impaired (Ortho). It is further pointed out that the application with the respondent does not show the signature of the petitioner.

Counsel for the State submits that the original record is with respondent no.3 and on this account a stalemate has arrived before this Court.

Keeping in view the above facts and the stand taken by the parties, respondent no.2 is directed to further enquire into the matter after

getting the necessary record from respondent no.3 regarding the fact of the original application form and by taking into account under what circumstances the admit card (Annexure P/2) was issued under general category by the respondents themselves. Action on the application of the petitioner for change as noticed above be taken within a period of four weeks from the receipt of certified copy of this order.

In case the relief is to be denied, an opportunity of hearing shall be afforded to the petitioner and a reasoned order be passed by the said respondent and be conveyed to the petitioner.

With the aforesaid directions, the present writ petition is disposed of.

August 02, 2016
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No