

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : C. W. P.No. 7784 of 2016

Date of Decision : May 02, 2016

Kiran Petitioner
vs.
The Board of School Education, Haryana
and another Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.

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To be referred to Reporters or not ?

Whether the judgment should be reported in the digest ?

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Present : Mr. Pankaj Maini, Advocate
for the petitioner.

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DEEPAK SIBAL, J. :

Through the present petition, the petitioner seeks to set aside her result, with a further prayer to direct the respondents to give her one extra mark for her answer to Question No. 21 in the Paper for Child Development and Pedagogy, Part-1 examination in the Haryana Teacher Eligibility Test (HTET) (English) examination.

The relevant facts, which need to be noticed for adjudicating upon the present petition are that in September 2015, the petitioner appeared in the HTET (English) examination. On 18.12.2015, on the declaration of the results, she was declared to have failed the examination having secured 89 marks, the pass marks being 90. The petitioner

represented to the respondents with a grievance that Question No. 21 in the Paper for Child Development and Pedagogy, Part-1 examination in the Haryana Teacher Eligibility Test (HTET) (English) had four options and the petitioner had opted for the fourth option, which, according to her, was correct. However, the respondents, who, in the draft answer key, also had acknowledged that the correct answer to Question No. 21 was the fourth option, later changed its stance by declaring the third option as the correct answer. According to the petitioner, the fourth option in the afore-referred question was the correct answer, for which she claimed one mark. When her representation was not responded to, she filed a **Civil Writ Petition No. 5964 of 2016**, which was disposed of on 31.03.2016 with a direction to the respondents to decide the petitioner's representation. As per the direction given by this Court, the petitioner's representation was considered and rejected. It is against such rejection that the present petition has been filed.

I have heard learned counsel for the petitioner at length.

According to learned counsel for the petitioner, Question No. 21 in the aforesaid Paper had four options, out of which, the fourth option was the correct answer, as attempted by the petitioner, but the petitioner had not been given any mark for the same as the respondents have declared option no. 3 to be the right answer. Terming the action of the respondents to be incorrect and arbitrary, the present petition has been filed.

I do not agree to the learned counsel for the petitioner.

A perusal of the impugned order shows that in the draft answer key, uploaded on the website of the respondents on 21.11.2015, option no. 4

to Question No. 21 was projected as the correct answer, but after receiving objections, the respondents referred the matter to a Committee of experts, on whose opinion, option no. 3 was declared to be the correct answer. Accordingly, on 18.12.2015, the result of the petitioner was declared and thereafter, the correct answer key was uploaded on the website of the respondents on 05.01.2016.

A Committee of experts on the subject have opined that option no. 3 is the correct answer to Question No. 21. In the absence of any mala fides or persuasive record shown to the contrary, as per settled law, I am not inclined to interfere with such opinion.

Dismissed.

No costs.

(DEEPAK SIBAL)
JUDGE

May 02, 2016
monika