

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

**Civil Writ Petition No.987 of 2016 (O&M)**

**Date of decision: 22.1.2016**

Shruti Garg

**... Petitioner**

**Versus**

State of Punjab and others

**... Respondents**

**CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA**

**Present:** Mr.Kapil Kakkar, Advocate,  
for the petitioner.

Mr.J.S.Puri, Advocate,  
for the Education Board.

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1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

**RAJIV NARAIN RAINA, J. (Oral)**

The allegations contained in para. 4 of the writ petition are bald statements which are not substantiated by documentary evidence. Para. 4 reads as follows : -

“4. That immediately, the petitioner brought this fact to the notice of the invigilator who was present in the examination/centre room. But no help was forth coming from any quarter and she was told to make do with that very faulty/misprinted booklet. The petitioner even requested to the invigilator to try and read the questions that were misprinted and though it was admitted by the invigilator, that, yes it was difficult to read the misprint but showed his helplessness and said he had no instructions to replace the test booklet to any candidate.”

There can be no doubt that four pages of the answer sheet are blurring but it is not that the contents cannot be read, at all. It might slow

down the speed but the petitioner took her chances and went through with the test and today, complains that she was disadvantaged by the learning caused by printer devil and she has been unable to clear the test for lack of one mark. Thirty five questions out of one fifty questions suffer from blurring in printing in question papers. It is not that the petitioner was unable to read or answer the questions.

Mr.Kakkar has produced the original answer book for the perusal of the Court which has been seen by Mr.Puri learned counsel appearing for the Board.

Mr.Puri submits on instructions from Mr.Davinder Pal Singh, Superintendent, Education Board, Punjab that only 6 complaints were received not on the point of blurring but on the other issues which were taken up and redressed. No complaint of blurring was received by the Board from anyone other than the petitioner. A blurring for one is blurring for all.

In the circumstances, it would be difficult to hold that the petitioner has been discriminated in the matter of answering the question paper and it is also not possible in the writ jurisdiction without evidence recorded to know what transpired between the petitioner and the invigilator as alleged in para. 4.

In the circumstances, the petitioner is left free to prove the contents of para. 4 by bringing a suit.

No ground warranting interference is made out. The petition to stand dismissed.

**(RAJIV NARAIN RAINA)**  
**JUDGE**

**January 22, 2016**