

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-1848-2016 (O&M)

Date of Decision: September 22, 2016

Garima

.....Appellant

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.Vikas Singh, Advocate
for the appellant.

.....

SURYA KANT, J.

A bunch of writ petitions questioning validity of Punjab Medical Entrance Test (PMET-2016) has been disposed of by learned Single Judge by way of self explanatory order dated 09.09.2016, which runs into 129 pages with 110 paragraphs.

The appellant was also a petitioner, who questioned the answer keys in respect of six questions. Her claim has been partly allowed by learned Single Judge. But as regard to question Nos.190 and 161 of Set-2, learned Single Judge after dealing *in extenso* with the opinion given by three different subject experts, has concluded as follows:-

“105. However, keeping in view the above discussion, this Court is of the opinion that the experts of the respondent-University had not adequately dealt with various questions. Some of them have been unnecessarily declared invalid, even though the same depicted the correct answer keys and accordingly, the students are entitled for correction on the basis of the said answer keys. Reference can, accordingly, be made to question No.161, 169 and 190 of Zoology of

Set-2 which depicted the correct answer and question No.133 of Botany Set-2, which also depict the correct answer. The decision to invalidate the answer keys of these questions was not justified and accordingly, the University is directed to correct the answer keys by resorting to the original answer keys for the above 4 questions.”

The contention raised on behalf of the appellant is that instead of directing restoration of `original' answer keys in respect of question Nos.161 and 190 of Zoology of Set-2, learned Single Judge ought to have issued the final directions consistent with his opinion as expressed in para 91 of the order where it is observed that necessary benefit ought to have been given to the Panjab University experts in preference to the College and School Experts.

We have given our thoughtful consideration to the submissions made by learned counsel for the appellant but do not find any inconsistency in paras 91 or 105 of the order under appeal. While the observations in the middle of the judgment are with reference to the rival contentions raised on behalf of the parties, the ultimate conclusion drawn in para 105 is the balancing mandate delivered by the learned Single Judge.

No interference with the order under appeal is thus required by this Court in appellate jurisdiction.

Dismissed.

(SURYA KANT)
JUDGE

September 22, 2016

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Whether speaking/reasoned

Whether Reportable

(SUDIP AHLUWALIA)
JUDGE

: Yes/No

: Yes/No