

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

1. CWP No. 12412 of 2016

Shampa Arora ...Petitioner

Versus

State of Punjab & Others ...Respondents

2. CWP No. 12475 of 2016

Harmeet Kaur & Another ...Petitioners

Versus

State of Punjab & Others ...Respondents

3. CWP No. 12480 of 2016

Chander Kanta ...Petitioner

Versus

State of Punjab & Others ...Respondents

4. CWP No. 12574 of 2016

Pardeep Kaur ...Petitioner

Versus

State of Punjab & Others ...Respondents

5. CWP No. 12583 of 2016

Hardeep Kaur ...Petitioner

Versus

State of Punjab & Others ...Respondents

Date of Decision: 11.01.2017

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sukhdev Kamboj, Advocate
for the petitioner(s).

Mr. B. M. Vinayak, Deputy Advocate General, Punjab.

JAISHREE THAKUR, J. (Oral)

This common order shall dispose of above mentioned five writ petitions as the issue involved therein is identical.

These writ petitions have been filed under Article 226 of the Constitution of India seeking issuance of writ in the nature of mandamus directing respondent No. 2-State Council of Education, Research and Training, Punjab to grant benefit of 4 (four) marks in respect of four questions attempted in Paper-II of Punjab State Teacher Eligibility Test (*for short 'PSTET'*) and consequently to declare the petitioners as passed/qualified.

In brief, the facts are that the petitioners herein, who had appeared in the PSTET Paper-II which was held on 03.07.2011, did not get the qualifying marks which according to them was on account of four questions not being marked correctly. In another bunch of writ petitions, the answer key to PSTET Paper-II came to be challenged, which writ petitions were allowed by a Coordinate Bench of this Court in CWP No. 25794 of 2015. While allowing the aforesaid writ petition, it was directed that benefit of four marks be given to the candidates who had attempted those questions. The petitioners herein who had also appeared in the same paper are now seeking benefit of those four marks which have been awarded to similarly situated candidates in CWP No. 25794 of 2015.

Counsel for the respondents-State submits that petitioners herein have now been given that benefit of four marks.

Therefore, in view of the fact that benefit of four additional marks has already been given to the petitioners herein as stated by the counsel

appearing on behalf of the respondents-State which fact is not disputed by the counsel for the petitioners, part of these writ petitions is rendered as infructuous. However, the second prayer of the writ petitions still survives which is that the petitioners should be considered for appointment against the post in which they had applied after giving them the benefit of four marks.

Counsel for the respondents-State very fairly submits that revised list will be prepared within a period of four months and in case the petitioners fall within the zone of consideration, necessary relief will be granted.

In view of the above, all the above mentioned writ petitions stand allowed accordingly. The petitioners, if found in the zone of consideration, be granted appointment subject to fulfilling all other eligibility conditions.

January 11, 2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No