

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.1137 of 2017
Date of Decision:-30.01.2017

Manoj Kumar

..... Petitioner

Vs.

Union of India and another

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.Amit Khatkar, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

The Central Board of Secondary Education [for short 'the CBSE'] issued a notification for holding UGC-NET December-2015 for eligibility for Assistant Professor only or Junior Research Fellowship & eligibility for Assistant Professor both. The examination was of three objective type tests. The first paper was of 100 marks in which 60 questions were provided, out of which 50 questions were to be attempted. The second paper was of 100 marks in which 50 questions were provided, out of which all questions were compulsory. The third paper was of 150 marks in which 75 questions were provided, out of which all questions were made compulsory. The written test was held on 27.12.2015 in which the petitioner, who had appeared as an OBC candidate, secured 53.14% marks whereas the last candidate, declared eligible, secured 54.29 marks. The CBSE issued another notification on 11.04.2016 in which it was provided

even after declaration of this result, may send a written request as per prescribed proforma uploaded on the website to the Executive Director, CBSE, H-149, Sector-63, Noida-201309, Distt. Gautam Budh Nagar (UP) supporting their stand with proof from standard books/literature along with a Demand Draft of Rs.5000/- drawn in favour of Secretary CBSE (payable at Delhi/Noida) within one month from the date of declaration of result. Claims received without the Demand Draft of the said amount will not be entertained. Valid requests in all respects will be placed before the expert committee for re-examination of the answer key(s). In case the answer(s) is/are found to be incorrect, CBSE will process the result in the light of changed key(s) and qualify the additional candidates for JRF and/or eligibility for Assistant Professor without changing the result of candidates qualified provisionally as per this notification.”

The petitioner admittedly applied for revaluation within the prescribed time on making payment of ₹5000/-. His result was revaluated. He raised objection regarding the correctness of answer key of 11 questions in all the three papers. It is submitted by learned counsel for the petitioner that out of 11 questions, the answer key of question No.30 in paper-3 was revised from 4 to 3 whereas the petitioner had answered the said question as ‘1’. Consequently, the result of the petitioner remained the same. It is submitted that the revised result was declared on 21.11.2016 but the petitioner is still not satisfied and hence filed the present petition to challenge even the decision taken by the CBSE regarding the revised result as well and has sought the review of his result of all the three papers in respect of 11 questions. Learned counsel for the petitioner has placed on record the final answer key after revision of result. It is submitted that the

petitioner, and for that purpose the petitioner has relied upon material from certain books in support of his submission.

I have heard learned counsel for the petitioner and after examining the available record with his able assistance, am of the considered opinion that once the petitioner has availed the remedy of revision of the result which has been put to the expert committee by the CBSE in which it has been found that there was an error in the answer of question No.30 which stood revised but it did not benefit the petitioner because he has given some other answer. The petitioner has applied for the review of the revised answer key but no law has been cited for review and no other point has been raised. Consequently, I do not find any merit in the present petition and the same is hereby dismissed.

30.01.2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No