

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

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**CWP No.21828 of 2017 (O&M)
Date of Decision : 25.09.2017**

Chhinda Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Kapil Kakkar, Advocate for the petitioners.

AJAY TEWARI, J. (Oral)

By this petition the petitioners have challenged the result of the Punjab State Teacher Eligibility Test-2016 (PSTET-1) examination on the ground that the questions specified in the petition have been provided wrong answers in the answer key.

Learned counsel has accepted that once the exam was conducted the answer key was published on the website and the objections were invited from all those who felt that there was some mistake in the questions/answers many people including the petitioners filed their objections. Ultimately the respondents accepted some of the objections and then declared the result.

The contention of the learned counsel for the petitioners is that apart from those questions which the respondents had admitted, other questions were also wrong.

In *Atul Kumar Verma Vs. Union of India, (2015) 221 DLT*

669 the learned Single Judge of the Delhi High Court held that the declaration of a result can not be kept pending indefinitely and also held

that once the objections were referred to independent experts, as in the present case, the Court will not substitute its own wisdom and act like an expert. This was also held by the Supreme Court in ***Himachal Pradesh Public Service Commission Vs. Mukesh Thakur and another, (2010) 6 Supreme Court Cases 759*** wherein the Court held as follows :-

“20. In view of the above, it was not permissible for the High Court to examine the question papers and answer sheets itself, particularly, when the Commission had assessed the inter se merit of the candidates. If there was a discrepancy in framing the question or evaluation of the answer, it could be for all the candidates appearing for the examination and not for Respondent no.1 only. It is a matter of chance that the High Court was examining the answer sheets relating to Law. Had it been other subjects like Physics, Chemistry and Mathematics, we are unable to understand as to whether such a course could have been adopted by the High Court. Therefore, we are of the considered opinion that such a course was not permissible to the High Court.”

In the present case once these essential elements have been satisfied it would not be open to the Court to substitute its own wisdom.

Consequently, the petition stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

25.09.2017
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Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No