

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

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CWP No.26698 of 2017

Date of decision: 06.12.2017

Vikrant Dahiya & others

....Petitioners

Versus

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Ms.Sharmila Sharma, Advocate, for the petitioners.

Mr.Harish Rathee, Sr.DAG, Haryana.

G.S. SANDHAWALIA, J. (Oral)

The petitioners had sat in the written test for the post of Heavy Vehicle Driver, against advertisement dated 18.05.2017 (Annexure P-1). They have approached this Court on account of the fact that they have not been called for scrutiny of documents and the driving proficiency test, on the ground that there was overwriting and cutting on one or two questions and the candidates having lessor marks were called for interview. The original record was produced in Court, which go on to show that there has been cutting and putting whitener on the OMR answer-sheets.

In view of Clause 2 of the OMR-sheet, which provides that if any white fluid is put on the OMR answer-sheet, the candidature is liable to be rejected. There is no ground to interfere in the present writ petition, since the original OMR-sheet of the petitioners shows that whitener had been used. The said clause, which has been accepted by the petitioners, reads as under:

“2. I do hereby declare that I have filled in my Name and Roll no. as it appears on the admit card. I fully understand and agree that in case I darken the wrong circles or fill incorrect Roll No. or use Whitener/Eraser/White Fluid etc. on OMR Answer Sheet my candidature will be liable to be rejected.

Signature of the Candidate within the box”

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Reliance can be placed upon the judgment of this Court in CWP-22918-2016 titled *Anshu & others Vs. State of Haryana & another*, passed on 21.12.2016, on this legal aspect and accordingly, the petitioners cannot, now, contend otherwise.

Accordingly, in view of the above, the present writ petition stands dismissed.

06.12.2017
Sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*