

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

113

C.M. No.4243 of 2017 in/and
CWP No.5394 of 2017
Date of Decision : 22.03.2017

Mamta

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. R.S. Panghal, Advocate
for the applicant-petitioner.

AJAY TEWARI, J. (Oral)

CM-4243-2017

For the reasons recorded, the application is allowed. Document
Annexure P-1 is taken on record.

CWP-5394-2017

By this petition the petitioner has challenged the action of the
respondents in not prescribing a specific syllabus for the test to shortlist
aspiring teacher in the subject of PGT Mathematics.

In the first place the petitioner has already applied and taken
the test and has challenged it only because she was not successful.
Moreover, I put it to the learned counsel whether these tests are conducted
for every subject and whether any specific syllabus is prescribed for any
subject, he has fairly accepted that no specific syllabus is prescribed for any
subject. I also put it to the learned counsel whether standard of the test was

upto the level of Masters (which was the prescribed qualification), he has

accepted that it was indeed so. In the circumstances, I see no reason to set aside the test.

Learned counsel has argued that it is always better if there is a specified syllabus and has drawn the attention of the Court to the examples of various Public Service Commissions and Kendriya Vidyalaya Sangathan.

No doubt prescribing syllabus cannot be considered to be a bad practice but even if no specific syllabus is prescribed, a reasonable assumption in the present case can be that test could comprise any question upto the Master's level and such test can be held illegal only if the questions set are higher than the Master's level. The Court cannot also lose sight of the fact that a level playing field has been provided to all the candidates. It is not a case where some candidates were especially affected and prejudiced by any particular factor.

Consequently, the petition is dismissed.

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

March 22, 2017
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No