

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

LPA No.2191 of 2016 (O&M)

Date of Decision : 19.01.2017

Tarakjot Kaur

....Appellant

Versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE DR.SHEKHER DHAWAN

Present: Mr. Anil Kumar Garg, Advocate
for the appellant.

MAHESH GROVER, J. (Oral)

This appeal is directed against the judgment of the learned
Single Judge dated 15.09.2016.

The appellant took matriculation examination in 2014 and
prayed that her answer books be got checked from some forensic
laboratory as there are interpolations writ large on the face of it. After
obtaining her answer books under the RTI Act they have been
appended to the writ proceedings from where the learned counsel for
the appellant while making a reference to them points out that certain
words/spellings have been interpolated.

From the perusal of this it would be difficult to accept the
plea raised by the appellant that this interpolation was done to
adversely affect the appellant's prospects in examination. We would
also not accept this plea for another reason that the examination
which the appellant took was of 10th standard i.e. matriculation where
such interpolation or subversion of marks would not possibly serve

any fruitful purpose considering the level of examination and the desire of the Board and the Sate to ensure maximum number of pass outs.

Apart from that, the writ petition was preferred after almost two years when the original record etc. had been destroyed. The appellant placed reliance on some other precedents of one Manjot Kaur who approached this court by way of CWP No.19317 of 2014 where the court concluded that there was tampering in either awarding zero or lesser marks and thus while accepting the petition had awarded a compensation of Rs.50,000/- to the writ petitioner in that case. In the instant case, no subversion of marks has been indicated and only a reference has been made only to some words where some alphabets have been added/overwritten/rewritten.

The case of the appellant would, therefore, be distinct from the one which was espoused in the precedents relied upon by the appellant and thus distinguishable. We thus do not find any infirmity in the reasoning of the learned Single Judge and would decline interference.

However, marginal delay of 9 days in filing the appeal is condoned.

Appeal dismissed.

(MAHESH GROVER)
JUDGE

19.01.2017
dss

(SHEKHER DHAWAN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No