

COCP-3523-2017 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCP-3523-2017 (O&M)

Date of Decision: October 30, 2018

Parvinder Kaur & others

...Petitioners

Versus

Sukhdev Singh Kahlon

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Pardeep Singh Mirpur, Advocate,
for the petitioners.

Mr. Aditya Sharda, AAG, Punjab.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-16855-CII-2018

Rejoinder is taken on record, subject to all just exceptions.

Application stands disposed of.

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Petitioners have approached this Court alleging non-compliance of the order passed by this Court on 22.09.2017, whereby, directions were issued to the respondents to refer to question Nos.31, 33, 95, 113, 119 and 140 of Question Booklet Series-2 to an expert/independent body for final decision thereon.

Reply to the contempt petition has been filed. In para 4 therein, it has been stated as follows:-

“4. That in this regard it is most respectfully submitted
before the Hon'ble Court that in compliance to the order

dated 22.09.2017 the Department had constituted expert body. Further, it is submitted that challenged question No. 31, 33, 95, 113, 119, 140 of Question Booklet Series-2 in writ petition 10597 titled as Jaswant Kaur Vs. State of Punjab were placed before the expert committee. As per the report of the expert committee the Punjab State Teacher Eligibility Test-2016 was revised and revised result was uploaded on website on 24.10.2017. Thus the orders of Hon'ble High Court have been complied with in full letter and spirit.”

Perusal of the above paragraph would show that all these questions have been referred to the Expert Committee.

Counsel for the petitioners states that only three questions have been referred to the Expert Committee and therefore, only three grace marks have been given to the petitioners. He asserts that in the reply which was filed by the respondents to the writ petition, in para 1 of the preliminary objections, it was admitted that the petitioners had challenged question Nos. 31, 33, 95, 113, 119, 140 of Question Booklet Series-2, which are wrong and hence, Expert Committee was constituted and these challenged questions would be examined to grant six grace marks against these questions. He contends on the above basis that all petitioners were required to be granted six grace marks.

This assertion of the counsel for the petitioners cannot be accepted. What has been stated in para 1 of the preliminary objections of

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the reply is that these questions are challenged which had been referred to the Expert Committee and in case, they are found to be wrong, grace marks would be granted accordingly and if all of them are found to be wrong, six grace marks would be given for the said questions.

In view of the above, this Court does not found any violation of the order passed by this Court as per the reply because the Expert Committee had given its opinion with regard to the questions and on that basis, grace marks have been granted to the candidates and thereafter, the revised result has been uploaded on the website on 24.10.2017.

In view of the above, finding no merit in the present contempt petition, the same stands dismissed.

Rule issued to the respondents stands discharged.

(AUGUSTINE GEORGE MASIH)
JUDGE

October 30, 2018
Harish

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No