

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

CWP No.2106 of 2018
Date of decision: 01.02.2018

Rajesh Kumar and others

... Petitioners

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. SK Chauhan, Advocate for the petitioners.

ARUN PALLI, J. (Oral)

Notice of motion.

Mr. Siddharth Sanwaria, DAG, Haryana and Mr. Kanwal Goyal, Advocate, present in Court, accept notice on behalf of respondent No.1 and respondent No.2, respectively. Copies furnished.

For the nature of order I propose to pass in the matter, no formal written statements/counter affidavits on behalf of the respondents are indeed necessary, at this stage. Thus, with the consent of the parties, the petition is being disposed of finally.

Pursuant to an advertisement issued by the Haryana Public Service Commission, the petitioners competed for selection to the posts of Assistant Professors (College Cadre) HES-II, Group-B in Physics. The written examination was held on 04.09.2016. But on going through the question booklet series-C and corresponding series, as also the answer key uploaded by the Commission on its website, it was found that some of the options of 22 questions were incorrect in the answer key. Resultantly, a representation was made to the Secretary of the Commission in this regard.

And as a consequence, the Commission cancelled the recruitment test. The

test was re-conducted on 29.01.2017 and the result was declared on 02.01.2018. However, again the grievance of the petitioners is that an analysis of the displayed answer key and the question booklet of the test reveals that questions as also the options of more than 20 questions were found wrong/incorrect. Rather, most of the questions were found ambiguous, discrepant, and incorrect sign and symbols were used. The petitioners purport to have represented to the respondents in this regard vide representation dated 02.01.2017 (Annexure P4). But to no avail. In fact, respondents have circulated the schedule of interview that is slated to take place from 01.02.2018 to 07.02.2018. Learned counsel for the petitioners submits that in the event, the grievance of the petitioners is not redressed they shall suffer an incalculable loss.

In response, learned counsel for the respondents submits that the grievance/claim of the petitioners, as also their representation dated 02.01.2017 (Annexure P4), shall be considered and dealt with within a week from today. And appropriate orders, in accordance with law, shall be passed, and communicated to the petitioners through their counsel.

That being so, at this stage, the petition is disposed of in the above terms. However, in the event the claim of the petitioners is rejected by the respondent-authority, a comprehensive order shall be passed assigning reasons in support thereof.

01.02.2018
Rajan

(Arun Palli)
Judge

Whether speaking / reasoned:
Whether Reportable:

YES
NO