

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

**CWP No.2365 of 2017
Date of Decision: 15.12.2018**

Sunita and another Petitioners

Versus

State of Haryana & Ors. Respondents

CORAM: HON'BLE MRS. JUSTICE RITU BAHRI

Present: Mr. Praveen Gupta, Advocate for the petitioners.

Mr. Gaurav Jindal, Addl. A.G. Haryana.

RITU BAHRI, J. (Oral)

Petitioners are participating for the post of PGT Sociology pursuant to the advertisement (Annexure P-1) they have qualified the HTET test for the said post. Petitioner No.1 is in the SC category and petitioner No.2 is in the BC-A category. They have appeared in the written examination on 05.03.2016, thereafter, an answer key was issued by the Haryana Staff Selection Commission. The petitioner no.1 attempted 37 questions correct out of 80 and she has scored 74 marks and petitioner No.2 attempted 38 questions correct and scored 76 marks. However, as per the final result dated 21.01.2017 (Annexure P-4), the grievance of the petitioner is that some of the candidates who have not cleared the HTET examination, their roll numbers are mentioned in the final result dated 21.01.2017 and candidates who have scored less marks in the scrutiny of the examination have been called for interviews.

On notice of this petition a short reply has been filed by the Haryana Staff Selection Commission and the stand taken is that after the advertisement for 157 post of PGT(Sociology) written test was conducted

and result was declared on 21.01.2017.

In the written examination the petitioners namely Sunita and Sapna, appearing against roll numbers 51700288 and 51700115 respectively have scratched the answer to question no.58 and 80 on the OMR Sheet in violation of the instructions and one of the condition in the admit card (Annexure R-2/1) was that the candidate are prohibited to use eraser, blade, nail or while fluids/whitener to smudge, scratch or damage in any manner on the answer sheet and if they do so their answer sheet would be cancelled and similar condition was mentioned in the printed instructions on front side and reverse side of (Annexure R-2/2) of the answer sheet and OMR sheet (Annexure R-2/3).

Keeping in view that the OMR sheets of the petitioners were smudged, their OMR sheet were cancelled and this issue came up for consideration. This condition of cancelling the OMR sheet was examined by this court and vide judgment ***dated 21.12.2016 (Annexure R-2/4) titled as Anshu and others vs. State of Haryana and another*** this court had dismissed the writ petitions and had upheld the cancellation of the OMR sheet which found to be smudged.

Keeping in view the above facts, this petition is dismissed.

(RITU BAHRI)

JUDGE

December 15, 2018

Sunil Devi

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/NO