

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 22050 of 2018 (O&M)

Date of Decision: 21.09.2018

SUSHILA

....*Petitioner(s)*

VS.

UNIVERSITY GRANT COMMISSION AND OTHERS ...*Respondent(s)*

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.

Present: Mr. Sandeep Thakan, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

CM-14329-CWP-2018

This application is filed for placing on record the document as
Annexure P-8.

Application is allowed and the document Annexure P-8 is taken
on record.

CWP No. 22050 of 2018

The petitioner has prayed for a writ in the nature of *mandamus*
for seeking a direction for recalculation of her marks in Paper 1 and Paper 3
of the National Eligibility Test (NET) 2017.

The test was conducted by the Central Board of Secondary
Education (CBSE) and a notification was issued for UGC – NET November
2017 for eligibility for Assistant Professor only or Junior Research
Fellowship and Eligibility for Assistant Professor both. Clause (xxiv) of the
Notification is relevant to this case which read as under:-

*“(xxiv). The captured images of response sheets (OMR sheets) of the
candidates appeared in NET November, 2017 and answer keys of
all the papers will be displayed on the website www.cbsenet.nic.in*

*during first week of January, 2018 (the exact dates will be notified later in the newspapers). The candidates, who are not satisfied with the captured response, may challenge by filling online application form on the website www.cbse.net.nic.in and paying a sum of Rs.1000/- per question. The challenge of answer keys will also be accepted online only through the link available on the website www.cbse.net.nic.in on payment of Rs.1000/- per question. The fee can be paid by credit/debit card or e-challan. In case the challenge of any candidate regarding captured images of response sheets (OMR sheets)/answer keys is accepted, the fee will be refunded to such candidates. In all other cases the fee once paid will not be refunded. **The CBSE's decision on the challenges shall be final and the result will be declared on the basis of final answer keys.** The refund (if any) will be transferred online to the concerned credit/debit card so, the candidates are advised to pay from their own credit/debit card. ”*

Clause (xxvi) of the Notification is also reproduced as under:-

“(xxvi). No grievance with regard to answer key(s) after declaration of result of NET November, 2017 will be entertained. ”

Learned counsel for the petitioner is very fair in submitting that the petitioner did not file any online application form to challenge the answer key before the final result was declared.

In view of the above, I do not find any merit in the present petition and the same is hereby dismissed, though without any order as to costs.

September 21, 2018

Ess Kay

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking / reasoned :

✓
Yes / No

Whether Reportable :

Yes / No