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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-17716-2019

Date of decision: July 08, 2019

Gurpreet Singh and Others

... Petitioners

vs.

State of Punjab and Others

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Harkirat Singh Sandhu, Advocate
for the petitioners.

Ms. Anu Chatrath, Senior Advocate, with
Ms. Ambika Bedi, A.A.G.Punjab
for the respondent-State.

ARUN MONGA, J.(ORAL)

At the time of issuance of notice, a detailed order was passed recording the submissions of learned counsel for the petitioners. The said order is reproduced hereinbelow:-

“Learned counsel for the petitioners, inter-alia, contends that vide impugned undated replies (Annexure P-9 and P-10), the petitioners have been informed that all the objections received by them qua Questions No.13 and 15 in Set-A were processed as per expert advise and the final result is prepared as per Rules, on the basis of revised answer key.

Learned counsel further contends that vide Annexure P-7, all possibilities of the options given in the answers to Questions No.13 and 15, along with detailed reasoning have been discussed threadbare. Based thereon, the correct answers are option A in Question No.13 and options A and D in Question No.15. He further submits that the petitioners have got the said answers verified from various experts and

each one is in agreement with the said options. He contends that Annexure P-7 which formed part of objections filed by the petitioners before the respondents has not even been considered while rejecting their objections.

Learned counsel, under instructions from the petitioners, who are present in Court, submits that the petitioners are willing to even pay heavy costs in case the said answers are found to be incorrect.

Notice of motion.

On advance service of copy of the petition, Ms. Anu Chatrath, Senior Advocate assisted by Ms. Ambika Bedi, Assistant Advocate General, Punjab, appears on behalf of respondents and submits that the objections of the petitioners have been duly got verified by panel of experts in accordance with law and the contentions of learned counsel for the petitioners prima-facie seem to be incorrect. She, however, submits that she will produce the relevant record containing the opinion of panel of experts in response to Questions No. 13 and 15 of Set-A (supra).

Adjourned to 05.07.2019.”

2. Pursuant to the above order, learned Senior Counsel representing the respondent-State submits that Punjab Public Service Commission (PPSC) official has brought the original record under sealed cover. The said record has been opened in the Court. On perusal thereof, it has been found that the argument of learned counsel for the petitioners, that the objections filed by the petitioners qua the question papers, *supra*, were not dealt with by the experts, is factually incorrect.

3. I have seen the experts opinion where they have specifically stated that the objections filed by the petitioners have been considered and the same have been found frivolous and the answers suggested by them in

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the objections are incorrect.

4. As regards the competency of the experts, I am fully satisfied with their academic qualifications and experience and they are fully competent to deal with the objections filed by the petitioners.

5. In any case, it is not even the case of petitioners that the experts lacks the expertise to deal with the objections filed by the petitioners.

6. This Court cannot sit in appeal over opinion of the experts. Law is fairly well settled on this aspect and reliance can be had to judgment rendered by Hon'ble the Apex Court in case titled as **Ran Vijay Singh and others vs. State of U.P. And others**, reported as 2018 (1) S.C.T.334 and also **U.P.P.S.C., through its Chairman and another vs. Rahul Singh and another**, reported as 2018 (3), S.C.T. 298.

7. In the premise, there is no scope for interference under the extraordinary writ jurisdiction of this Court. The writ petition is devoid of any merit and the same is, accordingly, dismissed. No order as to costs.

8. The original record, brought by learned State counsel, after seeing has been put back in a sealed cover and returned to the official of the PPSC, who is present in the Court.

July 08, 2019
smriti

(ARUN MONGA)
JUDGE

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