

CWP no. 23841 of 2018 (O&M) 1

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

CWP no. 23841 of 2018 (O&M)

Date of Decision : 09.01.2019

Avneet Kaur and another

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE LALIT BATRA**

Present : Mr.V.S.Sekhon, Advocate for
Mr. G.S.Randhawa, Advocate for the petitioner(s)

Mr. Tejinderbir Singh, Advocate

Dr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Shiv K Sharma, Advocate for respondent no.4

MAHESH GROVER, J.(ORAL)

Learned counsel for the respondent no.4 in all fairness states that there have been some mistakes in setting the paper, indicating the time and also in giving two sets of questions to the students which obviously has given rise to deep apprehension in the mind of the students. He further states that to allay all apprehensions in the minds of the students and to uphold the sanctity of the examination process, he would have no objection if the entire examination is scrapped and held again.

This is acceptable to the learned counsel for the petitioner and after hearing learned counsel for the parties, we are of the opinion that there

are indeed grave flaws in the examination process. Every examination process to our minds should be fair to the participants and if glaring mistakes as pointed out by the petitioner and accepted by the respondents to be correct are permitted to stand, it gives rise to a perception of the examination being unfair, even if no malice is attributed. Considering the fair stand of respondent no.4, we deem it appropriate that the examination process for admission to M.Phil in Religious Studies be initiated again. We make it clear that respondent no.4 who was paper setter and Head of Department will not associate himself with the process as he has voluntarily stated so. The examination process shall be set in motion and the date be intimated to all the students by displaying it on the website and also by sending individual notices to all the examinees.

Disposed of in above terms.

In view of above, we need not go through the sealed record which is returned in original without opening the same to the counsel for the University.

(Mahesh Grover)
Judge

09.01.2019
rekha

(Lalit Batra)
Judge

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No