

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

CWP-7170-2016 (O&M)
Date of decision : 07.02.2019

Harpreet Kaur

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Harbans Sharma, Advocate for the petitioner.

Mr. TPS Chawla, DAG, Punjab.

Mr. J.S. Puri, Advocate for respondent No.3.

JITENDRA CHAUHAN, J.

Prayer in the instant petition filed under Article 226 of the Constitution of India is, *inter alia*, to review the result of the petitioner with reference to the Punjab State Teachers Eligibility Test-1 (PSTET-1) held on 13.12.2015.

Learned counsel contends that question Nos.128, 130, 131, 135 and 137 were not even remotely connected with the subject of Environmental Science. These questions which have been projected to be from the subject of Environmental Science, in fact, are not related to Environmental Science and are out of syllabus. Therefore, such questions ought to have been deleted or five grace marks ought to have been granted to the petitioner in lieu thereof. It is submitted that the five question aforesaid either pertain to General Knowledge or Biology and there is no paper/section pertaining General Knowledge or Biology in the PSTET-1.

On the other hand, learned counsel for respondent No.3 submits that the issue stands already dealt with by a Division Bench of this Court in LPA No.677-2016 titled as ***Navneet Kaur Vs. State of Punjab and others***, decided on 26.04.2016 wherein the question paper as well as the result published in pursuance of the examination has been upheld.

Heard.

In ***Navneet Kaur's case (supra)***, it has been observed as under:-

“The appellant raised an issue that certain questions did not have relations with Environmental Science. After deleting the same, the marks should be awarded to the appellant. The learned Single Judge has examined the issue in detail and found that the questions, on which objection is sought to be raised by the appellant, are general in nature and are part of the syllabus for classes I to V to be taught by the candidates like the appellant, if finally selected. In the case in hand, the appellant appeared in PSTET-1, to be eligible for appointment as teacher. If the knowledge of the appellant is not upto the extent of basic questions, to which objection is sought to be raised, it is difficult to comment on the quality of teaching finally.”

Thus, the validity of the questions and the result thereof has already been upheld by this Court. Moreover, whether the questions referred to by the petitioner pertain to or directly or indirectly relatable to the stream being an issue in the domain of the experts, cannot be determined in the absence of any such report.

Thus, in the absence of any report from the subject expert and the judgment passed by this Court in Navneet Kaur's case (supra), the assertion raised by learned counsel for the petitioner does not warrant acceptance and thus, is rejected.

Dismissed.

07.02.2019
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(JITENDRA CHAUHAN)
JUDGE

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