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

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CWP-12009-2020 (O&M)
Date of decision : 21.08.2020.

Rekha Rani and others

... Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Anurag Goyal, Advocate and
Mr. Parth Goyal, Advocate for the petitioners.

Mr. B.R. Mahajan, Advocate General with
Mr. Tapan Kumar Yadav, DAG, Haryana.

Anupinder Singh Grewal, J. (Oral)

Heard through video conferencing.

The petitioners have challenged the order dated 30.07.2020 (Annexure P-5) whereby the respondents are conducting the examination for the post of PTI under Advt. No.06/2006.

Learned counsel for the petitioners contends that some of the petitioners are suffering from chronic diseases while three of them are Covid-19 positive and in view of the lockdown imposed by the State of Haryana, they would not be in a position to appear in the examination which is scheduled to be held on 23.08.2020. He also contends that lockdown has been imposed by the State of Haryana in Narnaul district from tomorrow i.e. 22.08.2020 to 24.08.2020 morning and therefore, it cannot be said that normalcy has returned

which would enable the smooth conduct of the examination where the applicants can appear without any hindrance.

In response to the notice, an affidavit has been filed by the Secretary, Haryana Staff Section Commission, Panchkula, on behalf of respondent No.2 wherein it is stated that the Supreme Court by the order dated 08.04.2020 in Civil Appeal No.2103 of 2020 arising out of SLP No.35373 of 2013, had directed the Commission to complete the entire process of examination within a period of 05 months from the date Commission starts working after the present lockdown is over. The Commission started working w.e.f. 06.05.2020 and the process has to be completed within 05 months. It is further stated that approximately 9500 applicants are going to appear for the written examination and keeping in view the Covid-19 pandemic, the Commission has arranged 95 centres in 05 districts whereas in normal conditions, the test would have been held at one station only. Each centre has been allotted only 100 candidates where apart from maintaining social distancing while entering the examination centre, it has also been ensured that one examination centre shall not have more than 100 candidates whereas the minimum sitting capacity ranges from 240 to 600 candidates. It is also stated that 02 schools have been kept in reserve in each district so as to meet any sudden exigency on account of any centre falling in containment zone. The candidates, who have symptoms of fever, cough and cold would be made to sit in a separate room. List of the Institutions/Centres and reserve centres has been appended as Annexure R-2/1. Reference has also been made to the Standard Operating Procedures and Guidelines issued by the Ministry of

Health and Family Welfare with regard to the conduct of examination. It is also stated that necessary transport arrangements have been made for the candidates, who are appearing in the written examination at five centres at Hisar, Karnal, Kaithal, Kurukshetra and Panipat. Notice has also been issued on 19.08.2020 requesting the candidates to book their online tickets/e-tickets in advance for availing Haryana Roadways Bus services.

Learned Advocate General also contends that in a similar petition bearing Writ Petition (Civil) No.812 of 2020, titled as **Sayantan Biswas and others versus National Testing Agency (NTA) and others (supra)**, wherein prayer was made for postponement of the NEET and JEE examinations, the Supreme Court has declined to postpone the examinations. The petition was dismissed on 17.08.2020.

Heard through video conferencing.

The public interest for conducting the examination on the scheduled date far outweighs the convenience of the petitioners. The unfortunate circumstances of some of the petitioners cannot be a ground to postpone the examination wherein about 9500 candidates have to appear. It would be apt to refer the judgment of the Supreme Court in the case of **Sayantan Biswas and others versus National Testing Agency (NTA) and others (supra)**, decided on 17.08.2020. The operative part of the judgment is reproduced hereunder:-

'We find that there is absolutely no justification in the prayer made for postponement of the examination in question relating to NEET UG-2020 as well as JEE (Main) April, 2020. In our

opinion, though there is pandemic situation, but ultimately life has to go and the career of the students cannot be put on peril for long and full academic year cannot be wasted.'

This Court is satisfied with the arrangements which have been put in place by the respondents in view of the Covid-19 pandemic including maintaining social distancing, sanitization and the transportation facility.

In view of the above, I do not find any justification to direct the postponement of the examination as prayed by the petitioners. Consequently, the petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

August 21, 2020
sonia gugnani

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