

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

**CWP No.6394 of 2021
Decided on : 12.11.2021**

Anita Yadav

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Shalender Mohan, Advocate, for the petitioner.
Mr.Harish Nain, AAG, Haryana.

G.S. Sandhawalia, J. (Oral)

Challenge in the present writ petition, filed under Articles 226/227 of the Constitution of India, is to the action of the respondents in declaring the result of the written test held on 31.01.2021, which was followed by the result declared on 23.02.2021 (Annexure P-15), for the posts of Arts & Craft Teachers against advertisement No.6 of 2006. Challenge is raised on the ground of the objections raised by the petitioner to the answer key (Annexure P-14) for question Nos.52, 70, 88 & 89, have not been redressed.

It is the case of the petitioner that she has answered 42 questions correctly which are less than the prescribed criteria. It has been argued that since 2 marks are given for each correct question, petitioner would make the cut if the benefit is given as she has to secure 90 marks to be called for interview. It is submitted that in the written statement, it has only been averred that the objections were taken into consideration for the questions received by the Commission and benefits were given for the 3 answers by giving 3 grace marks to candidates who had opted for both options. It is submitted that the written statement does not give any details as to which questions the grace marks were given and whether they were given to the questions which the petitioner is objecting to.

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Even if the petitioner's case is to be taken into consideration, she still has to secure 3 marks to clear the cut-off, which have been fixed for the BCA category, which is of 90 marks. Though it is within the domain of the subject experts but the questions which are being objected to are plain and simple and this Court is of the opinion that there could be no dispute to the objections which have been raised. The 2 questions read as under:

“70. Covaccine is being manufactured by which company?

- A) Serum Institute of India
- B) Dr.Batra Laboratories
- C) Bharat Biotech
- D) Biocon

88. He gave us _____grand party. (Fill in the blank with correct article.)

- A) the
- B) a
- C) an
- D) No article”

There is no dispute that the Commission had given the correct answer for question No.70 as option 'C' i.e. Bharat Biotech but the petitioner claims that the correct option would be option 'D', which, in the considered opinion of this Court, is without any basis.

Similarly, for question No.88, the Commission has given the correct answer as option 'B' while the petitioner is insisting that even option 'A' was correct along with option 'B'. In such circumstances, if these 2 objections are also rejected, petitioner would still not manage to make the cut. Therefore, this Court is of the opinion that no case is made out to grant any relief to the petitioner, in the peculiar facts and circumstances of the present case.

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Challenge to the second question paper being handed out at Centre No.15 has already been dealt in **CWP-8634-2021** titled *Ravinder Singh & others Vs. Haryana State Selection Commission & another*, pronounced today, upholding the process.

Accordingly, in view of the above, the present writ petition is dismissed.

November 12, 2021

Sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No