

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

Sr. No.205

**CWP-21779-2018 (O&M)
Date of decision : 10.09.2021**

Teena Mahajan and others

..... Petitioners

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Ms. Alka Chatrath, Advocate with
Mr. Nitin Arora, Advocate and
Mr. Shubham Kapoor, Advocate,
for the petitioners.

Ms. Anju Sharma Kaushik, DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioners have challenged the result of the Punjab State Teacher Eligibility Test-2017, Paper-II on the ground that certain answers uploaded in the final answer key were wrong/ambiguous/out of syllabus.

The aforementioned test was conducted on 25.02.2018 and answer key was uploaded on 05.03.2018. Objections were invited till 10.03.2018. Thereafter, result was declared on 13.04.2018 alongwith the amended answer key. The petitioners could not make the grade as they did not receive the minimum required marks.

Learned counsel for the petitioners submits that in the writ petition challenge has been raised to a number of answers given in the amended answer key, however, she is confining her arguments to the answers in respect of question Nos.46, 92, 123, 144 and 150 only of question series-D. The answers to question Nos.46 and 92 are stated to be incorrect, whereas, question Nos.123 and 150 were out of syllabus being related to the subject of Sociology. It is her submission that Series-D pertains to Social

Sciences and according to the instructions, Social Sciences comprised the subjects of History, Geography, Economics and Civics only. Question Nos.123 and 150 admittedly related to the subject of Sociology and were thus, out of syllabus. Regarding question No.144, it is stated that the question paper did not contain the answers in Punjabi language. The answers in English were mentioned in the Punjabi script. The petitioners were thus, misled.

Question No.46 is regarding the meaning of a particular word in the context it occurs in the relevant passage. I have read the passage and I am in agreement with the answer given by the examining authority. Question No.92 is regarding 'Panchsheel' being related to a particular country. According to the answer key, the correct answer is India and in my considered opinion, there is no error therein.

Question Nos.123 and 150 are regarding names of prominent sociologists. The argument is that Sociology is the subject different from the subjects of History, Geography, Economics or Civics and accordingly, questions were out of syllabus. In my considered opinion, this argument is also mis-conceived. Sociology is very much a component of the Social Sciences. Civics is a part of the subject of Sociology and is taught only at school level. At the under-graduate level, the subject taught is Sociology and thus, it cannot be said that asking a question relating to the said subject would make the question out of syllabus. This leaves us with question No.144, in which, the Punjabi equivalent of the answers have not been mentioned. Admittedly, all the petitioners took the exam in Punjabi. Since, the answers were a reproduction of answers in English in the Punjabi script, it is likely that they were mis-led. No student can be expected to select an

answer, which he does not understand and thus, he/she has to be given credit for this illegality.

In view of the afore-going discussion, the writ petition is partly allowed. Respondent No.2 is directed to give benefit of one mark to all students, who attempted the paper in Punjabi language and accordingly, upload a revised result. This direction be carried out within four weeks from today and in any case, prior to the commencement of the selection process for the post of Masters which is in progress.

(SUDHIR MITTAL)
JUDGE

10.09.2021

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No