

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

CWP-23977-2021 (O&M)
Date of decision:- 13.12.2021

Varsha

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sandeep Verma, Advocate,
for the petitioner.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

Mr. Arun Gosain, Senior Government Counsel,
for respondents No. 2, 4 and 5.

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RAVI SHANKER JHA, C.J. (ORAL)

CM-17904-CWP-2021

Learned counsel for the petitioner prays for and is permitted to
withdraw the application for placing on record amended memo of parties.

Dismissed as withdrawn.

CM-18541-CWP-2021

The application for impleading Union of India as
respondent No. 5 in the main writ petition is allowed as the same is not
opposed.

Amended memo of parties be taken on record.

CWP-23977-2021

The present writ petition has been filed by the petitioner alleging
tampering with her Optical Mark Recognition (OMR) sheet that she had filled
up during the National Eligibility-cum-Entrance Test (NEET) (under Graduate)
2021 Examination conducted on 12.09.2021 and granting her lesser marks than
she was entitled to in terms of the allegations made in the petition.

It is alleged that deliberately wrong answers have been filled up
so that the petitioner gets negative marking and is consequently out of the fray
for consideration for admission. Other allegations regarding tampering as well
as manipulation of OMR sheet have also been made.

Mr. Arun Gosain, learned senior government counsel appearing
for respondents No. 2, 4 and 5, on advance copy, submits that he has received
instructions from the respondent-authorities that they have no objection in

permitting the petitioner alongwith her parents to examine the original OMR sheet, in case this Court so directs in terms of the order dated 22.11.2021 passed by the High Court of Kerala at Ernakulam in WP (C) No. 22513 of 2021 (L) titled as *Rithu Sibi Vs Union of India and others*. He further submits that the respondent-authorities would also consider the petitioner’s representation dated 02.11.2021 (Annexure P-8); take a decision thereon and communicate it to her.

In view of the aforesaid, the writ petition filed by the petitioner is disposed of with a direction to the respondent-authorities to permit the petitioner alongwith her parents to examine the original OMR sheet within a week and also take a decision on her representation dated 02.11.2021 (Annexure P-8) within the same period and communicate it to her.

It is made clear that the petitioner would be at liberty to take up further proceedings, in case any grievance survives or arises, keeping in view the fact that a similar matter is already pending before the Supreme Court in Writ Petition (Civil) No. 1286 of 2021 titled as *Prabhnoor Singh and others Vs National Testing Agency and others*.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

13.12.2021
Amodh /ndj

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No