

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

Sr. No.214

**Civil Writ Petition No.2962 of 2022
Date of Decision : December 22, 2022**

Mukesh Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Ms. Shaveta Sanghi, Advocate, for the petitioner.

Mr. Rajneesh Chadwal, AAG, Haryana,
for respondents No.1 & 3.

Mr. Deepak Balyan, Advocate,
for respondent No.2.

SUDHIR MITTAL, J. (ORAL)

The petitioner is a Post-Graduate Teacher Level-II. His subject is Computer Science. Haryana Teacher Eligibility Test-2021 (HTET-2021) for PGT Level-III in the subject of Computer Science was held on 18.12.2021 wherein, the petitioner also appeared. Draft answer key was uploaded on the very next day i.e. 19.12.2021 and objections were invited vide notice dated 20.12.2021. Within the time provided for filing objections, the petitioner objected to two questions on 23.12.2021. The objections were rejected and result was declared on 28.01.2022. The petitioner failed to make the cut as he scored 89 marks whereas the requirement was of 90 marks. Thus, the present writ petition has been filed with the grievance that the answers given in the final answer key to questions were wrong.

Learned counsel for the petitioner has submitted that the

answers given by the petitioner to questions No.113 and 133 were in fact the correct answers. She has referred to a text book on Programming in C++ with reference to question No.113 and to wikipedia with reference to question No.133.

Learned counsel for respondent No.2 submits that on receipt of objections from all candidates, the matter was considered by a Committee of Experts on two separate occasions. Both times the decision was that the draft answer key uploaded on 19.12.2021 contained the correct answers.

The Court is not a subject expert. Respondent No.2 is on record on solemn affirmation stating that the draft answer key uploaded is correct and that after review by the subject experts, the answers to which objections were raised by the petitioner as well as other candidates were not found erroneous. Answers to questions No.16 & 17 were found to be erroneous and credit for the same has been given to the candidates including the petitioner. The Court cannot sit in judgment over the opinion of the subject experts. Despite this position in law, I have thought it fit to examine the material placed on record by the petitioner and I find that the submission made on the basis thereof is not correct.

In view of the above, the writ petition has no merit and is dismissed.

December 22, 2022

Ankur Goyal

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No