

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CWP-13725-2017

DATE OF DECISION: 14.12.2022

LALIT PAUL

... Petitioner (s)

Versus

STATE OF HARYANA & ORS.

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vishwajeet Mehla, Advocate
for the petitioner.

Dr. Kapil Bansal, DAG, Haryana.

Mr. Rajesh Gaur, Advocate for R-4.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has sought a direction to the respondents to revise the result in view of the objections to the answer key. He has sought further direction to allow him to participate in the selection process and be interviewed.

Learned counsel for the petitioner submits that the petitioner, who had applied for the post of LDC, in BCA category, has obtained 118 marks in the written examination while the last selected candidate, who was called for the interview in the BCA category has obtained 120 marks. He has raised objections to four answers in the answer key which include objections to answers/options to question No.34. The question No.34 reads as under:-

“34. DEENBANDHU CHOTTU RAM SCIENCE AND
TECHNOLOGY UNIVERSITY IS LOCATED AT WHICH
PLACE?

- (1) ROHTAK
- (2) MURTHAL
- (3) JEEND
- (4) SIRSA”

He further submits that although the University is situated at Murthal but the answer key had mentioned 'Sirsa' as the correct answer. In the event of the petitioner being awarded two marks for the correct answer he would have secured a total of 120 marks. He was provisionally interviewed and had obtained 20 marks in the interview. The last selected candidate in this category had obtained 140 marks.

Learned counsel for the respondents submits that the objections to the answer key, including objections to the question No.34, had been sent to the Expert Committee which had opined that 'Sirsa' is the correct answer.

Heard.

In pursuance to the order passed by this Court on 10.11.2022, respondent No.2 is present in Court. He submits that the correct answer is 'Murthal' as Deenbandhu Chhotu Ram Science and Technology University is situated thereat.

Learned counsel for the respondents do not dispute that the University is indeed situated at Murthal.

The petitioner is stated to have applied for the post of LDC in BCA category in terms of the advertisement issued by the respondents on 20.02.2016. He had secured 118 marks in the written examination. This Court, by the order dated 16.06.2017, had directed that in case, on receipt of report pertaining to the objections of the petitioner, he gets more marks than the last selected candidate in the BCA category who was called for the

interview, the petitioner shall also be interviewed. One post of LDC in BCA category was not to be filled up till then.

Learned counsel for the respondents No.1 & 2 submits that one post of LDC in BCA category has been kept vacant. The petitioner has been interviewed and has obtained 20 marks and therefore, has obtained a grand total of $118 + 20 = 138$ marks. The last selected candidate has obtained 140 marks. The petitioner is entitled to be awarded 2 marks for the afore-noted answer to question No.34 which he had answered correctly. There is no dispute that the University is situated at Murthal. In the event of the petitioner being granted 2 marks for the answer to question No.34, he would get a total of 140 marks which are at par with the marks obtained by the last selected candidate in this category. The petitioner had approached this Court on 12.06.2017 immediately after the commencement of the selection process and the matter is pending adjudication since then.

In view of the afore-noted peculiar facts and circumstances the petition is allowed. The petitioner would be offered appointment subject to the verification of his documents. The needful be done within a period of 15 days from now.

(ANUPINDER SINGH GREWAL)
JUDGE

14.12.2022

SwarnjitS

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