

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No. 105+106+109+299+300

Date of Decision: 26.07.2022

- 1) **CWP-17196-2020**

Jaspal Singh and others

...Petitioners

Versus

State of Haryana and others

...Respondents
- 2) **CWP-20230-2020**

Ram Niwas and others

...Petitioners

Versus

State of Haryana and others

...Respondents
- 3) **CWP-17370-2020**

Pala Singh and others

...Petitioners

Versus

State of Haryana and another

...Respondents
- 4) **CWP-26625-2021**

Rajesh Kumar and others

...Petitioners

Versus

State of Haryana and others

...Respondents
- 5) **CWP-17296-2020**

Sukhbir and others

...Petitioners

Versus

State of Haryana and others

...Respondents
- 6) **CWP-16170-2020**

Savita Kumari

...Petitioner

Versus

State of Haryana and others

...Respondents

7)	<u>CWP-16229-2020</u>	
Pawan Kumar and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents
8)	<u>CWP-16694-2020</u>	
Aman Lal and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents
9)	<u>CWP-16787-2020</u>	
Kishan Singh and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents
10)	<u>CWP-16729-2020</u>	
Dharminder and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents
11)	<u>CWP-17161-2020</u>	
Seema Rani		...Petitioner
	Versus	
State of Haryana and others		...Respondents
12)	<u>CWP-16445-2020</u>	
Umed Singh and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents

13) CWP-17074-2020

Karnail Singh and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents

14) CWP-16968-2020

Shishram and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents

15) CWP-16076-2020

Bala Devi and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents

16) CWP-16518-2020

Rakesh Kumar		...Petitioner
	Versus	
State of Haryana and others		...Respondents

17) CWP-16982-2020

Naresh Kumar and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents

18) CWP-16346-2020

Sudesh Kumari		...Petitioner
	Versus	
State of Haryana and others		...Respondents

<u>CWP No.17196 of 2020 along with connected cases</u>		4
19) <u>CWP-16347-2020</u>		
Anita Devi and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents
20) <u>CWP-16348-2020</u>		
Santosh Kumari		...Petitioner
	Versus	
State of Haryana and others		...Respondents
21) <u>CWP-16356-2020</u>		
Kiranpal and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents
22) <u>CWP-16357-2020</u>		
Brijesh Kumar and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents
23) <u>CWP-16446-2020</u>		
Meenakshi and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents
24) <u>CWP-16594-2020</u>		
Vijander Sharma and another		...Petitioners
	Versus	
State of Haryana and others		...Respondents

<u>CWP No.17196 of 2020 along with connected cases</u>		5
25) <u>CWP-16591-2020</u>		
Richhapal	Versus	...Petitioner
State of Haryana and others		...Respondents
26) <u>CWP-16812-2020</u>		
Sunil Kumar and others	Versus	...Petitioners
State of Haryana and others		...Respondents
27) <u>CWP-17144-2020</u>		
Sukhjeet Singh and another	Versus	...Petitioners
State of Haryana and others		...Respondents
28) <u>CWP-17146-2020</u>		
Mahaveer	Versus	...Petitioner
State of Haryana and others		...Respondents
29) <u>CWP-16796-2020</u>		
Sunita Mann and others	Versus	...Petitioners
State of Haryana and others		...Respondents
30) <u>CWP-16424-2020</u>		
Santosh Kumari	Versus	...Petitioner
State of Haryana and another		...Respondents
31) <u>CWP-17081-2020</u>		
Abhey Singh	Versus	...Petitioner
Haryana Staff Selection Commission and others		...Respondents

32) CWP-16997-2020

Naresh Kumar and others ...Petitioners

Versus

State of Haryana and another ...Respondents

33) CWP-17186-2020

Dev Raj ...Petitioner

Versus

State of Haryana and others ...Respondents

34) CWP-17233-2020

Devender Kumar and others ...Petitioners

Versus

State of Haryana and others ...Respondents

35) CWP-17236-2020

Saroj Kumari ...Petitioner

Versus

Haryana Staff Selection Commission
and others ...Respondents

36) CWP-17245-2020

Jagmender Singh ...Petitioner

Versus

Haryana Staff Selection Commission
and others ...Respondents

37) CWP-16709-2020

Sunita ...Petitioner

Versus

State of Haryana and others ...Respondents

38) CWP-17211-2020

Kumari Mukesh Bai Yadav	...Petitioner
Versus	
Haryana Staff Selection Commission and others	...Respondents

39) CWP-17353-2020

Munni Devi	...Petitioner
Versus	
State of Haryana and others	...Respondents

40) CWP-17420-2020

Amit Singh and others	...Petitioners
Versus	
State of Haryana and others	...Respondents

41) CWP-16641-2020

Nirmala Devi	...Petitioner
Versus	
Haryana Staff Selection Commission	...Respondent

42) CWP-17504-2020

Rajnish	...Petitioner
Versus	
State of Haryana and others	...Respondents

43) CWP-17431-2020

Rajesh Kumar and others	...Petitioners
Versus	
State of Haryana and others	...Respondents

44) CWP-17432-2020

Jai Parkash and others ...Petitioners

Versus

State of Haryana and others ...Respondents

45) CWP-17440-2020

Puran Chand and others ...Petitioners

Versus

State of Haryana and others ...Respondents

46) CWP-17441-2020

Esha Dhankhar ...Petitioner

Versus

Haryana Staff Selection Commission ...Respondent

47) CWP-17443-2020

Sher Singh Rajput ...Petitioner

Versus

Haryana Staff Selection Commission
and others ...Respondents

48) CWP-17456-2020

Neeraj Ahluwalia and others ...Petitioners

Versus

State of Haryana and others ...Respondents

49) CWP-17175-2020

Parmod Kumar and others ...Petitioners

Versus

State of Haryana and others ...Respondents

50) CWP-17461-2020

Anesh Kumar Mudgal ...Petitioner

Versus

Haryana Staff Selection Commission
and others ...Respondents

51) CWP-17685-2020

Rakesh Kumar and others ...Petitioners

Versus

State of Haryana and others ...Respondents

52) CWP-17645-2020

Rajesh Kanwar ...Petitioner

Versus

State of Haryana and others ...Respondents

53) CWP-16898-2020

Udeyvir ...Petitioner

Versus

State of Haryana and another ...Respondents

54) CWP-17857-2020

Sudesh Kumari ...Petitioner

Versus

State of Haryana and others ...Respondents

55) CWP-17861-2020

Sushil Kumar ...Petitioner

Versus

State of Haryana and others ...Respondents

56) CWP-18014-2020

Krishan Kumar and others

Versus

...Petitioners

State of Haryana and others

...Respondents

57) CWP-18015-2020

Usha Rani and another

Versus

...Petitioners

State of Haryana and others

...Respondents

58) CWP-18830-2020

Vijay Laxmi

Versus

...Petitioner

State of Haryana and others

...Respondents

59) CWP-17752-2020

Rajesh Kumar

Versus

...Petitioner

State of Haryana and others

...Respondents

60) CWP-17753-2020

Balwan Singh and others

Versus

...Petitioners

State of Haryana and others

...Respondents

61) CWP-17756-2020

Surender Kumar and another

Versus

...Petitioners

State of Haryana and others

...Respondents

62) CWP-17878-2020

Geeta Devi and another

Versus

...Petitioners

State of Haryana and others

...Respondents

<u>CWP No.17196 of 2020 along with connected cases</u>		11
63) <u>CWP-18125-2020</u>		
Anoop Kumar and another	Versus	...Petitioners
State of Haryana and others		...Respondents
64) <u>CWP-18330-2020</u>		
Jawahar Lal and others	Versus	...Petitioners
State of Haryana and another		...Respondents
65) <u>CWP-18425-2020</u>		
Sube Singh and another	Versus	...Petitioners
State of Haryana and others		...Respondents
66) <u>CWP-18878-2020</u>		
Dharmender and others	Versus	...Petitioner
State of Haryana and others		...Respondents
67) <u>CWP-18994-2020</u>		
Kuldeep Singh	Versus	...Petitioner
State of Haryana and others		...Respondents
68) <u>CWP-19077-2020</u>		
Rakesh Malik and another	Versus	...Petitioners
State of Haryana and others		...Respondents
69) <u>CWP-19204-2020</u>		
Savita Devi	Versus	...Petitioner
State of Haryana and others		...Respondents

<u>CWP No.17196 of 2020 along with connected cases</u>		12
70) <u>CWP-19326-2020</u>		
Anil Kumar		...Petitioner
	Versus	
State of Haryana and others		...Respondents
71) <u>CWP-19581-2020</u>		
Dalbir Singh		...Petitioner
	Versus	
State of Haryana and others		...Respondents
72) <u>CWP-19777-2020</u>		
Pawan Kumar		...Petitioner
	Versus	
Haryana Staff Selection Commission		...Respondent
73) <u>CWP-20231-2020</u>		
Surender and another		...Petitioners
	Versus	
State of Haryana and others		...Respondents
74) <u>CWP-20323-2020</u>		
Rajender Kumar		...Petitioner
	Versus	
State of Haryana and others		...Respondents
75) <u>CWP-20603-2020</u>		
Dharmender and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents
76) <u>CWP-21591-2020</u>		
Satish Kumar		...Petitioner
	Versus	
State of Haryana and others		...Respondents

<u>CWP No.17196 of 2020 along with connected cases</u>		13
77) <u>CWP-17376-2020</u>		
Jai Singh and another		...Petitioners
	Versus	
State of Haryana and others		...Respondents
78) <u>CWP-19290-2020</u>		
Baljeet Singh		...Petitioner
	Versus	
State of Haryana and others		...Respondents
79) <u>CWP-19294-2020</u>		
Niketan Kumar		...Petitioner
	Versus	
State of Haryana and others		...Respondents
80) <u>CWP-21202-2020</u>		
Ramesh and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents
81) <u>CWP-1260-2021</u>		
Rekha		...Petitioner
	Versus	
State of Haryana and others		...Respondents
82) <u>CWP-19296-2020</u>		
Sher Singh		...Petitioner
	Versus	
State of Haryana and others		...Respondents

83) CWP-19299-2020

Manoj Kumar

Versus

...Petitioner

State of Haryana and others

...Respondents

84) CWP-1070-2021

Raj Kumar and others

Versus

...Petitioners

State of Haryana and others

...Respondents

85) CWP-694-2021

Pritam Singh

Versus

...Petitioner

State of Haryana and others

...Respondents

86) CWP-4267-2021

Sunita

Versus

...Petitioner

State of Haryana and others

...Respondents

87) CWP-15910-2020 (O&M)

Vijay Pal

Versus

...Petitioner

Haryana Staff Selection Commission

...Respondent

88) CWP-4733-2021

Shyam Sunder and others

Versus

...Petitioners

State of Haryana and others

...Respondents

89) CWP-5122-2021

Bijender

Versus

...Petitioner

State of Haryana and others

...Respondents

<u>CWP No.17196 of 2020 along with connected cases</u>		15
90) <u>CWP-15545-2021</u>		
Pawan Kumar	Versus	...Petitioner
State of Haryana and others		...Respondents
91) <u>CWP-4747-2021</u>		
Ranbir Singh and others	Versus	...Petitioners
State of Haryana and others		...Respondents
92) <u>CWP-18508-2021</u>		
Bhupender	Versus	...Petitioner
State of Haryana and others		...Respondents
93) <u>COCP-611-2021</u>		
Rajesh Kumar	Versus	...Petitioner
Bharat Bhushan and another		...Respondents
94) <u>CWP-16230-2020</u>		
Sushila	Versus	...Petitioner
State of Haryana and others		...Respondents
95) <u>CWP-16570-2020</u>		
Dinesh Kumar and others	Versus	...Petitioners
State of Haryana and others		...Respondents
96) <u>CWP-17219-2020</u>		
Banwari Lal Yadav and others	Versus	...Petitioners
State of Haryana and others		...Respondents

<u>CWP No.17196 of 2020 along with connected cases</u>		16
97) <u>CWP-17550-2020</u>		
Shri Ram and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents
98) <u>CWP-17834-2020</u>		
Jaswinder Singh		...Petitioner
	Versus	
State of Haryana and others		...Respondents
99) <u>CWP-16462-2020</u>		
Rakesh Kumar and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents
100) <u>CWP-13587-2020</u>		
Jitender Kumar and others		...Petitioners
	Versus	
State of Haryana and others		...Respondents
101) <u>CWP-17091-2020</u>		
Kuldeep Singh		...Petitioner
	Versus	
Haryana Staff Selection Commission and others		...Respondents
102) <u>CWP-17279-2020</u>		
Parveen Kumar		...Petitioner
	Versus	
State of Haryana and others		...Respondents

<u>CWP No.17196 of 2020 along with connected cases</u>		17
103) <u>CWP-4650-2021</u>		
Amrit Lal Chopra		...Petitioner
Versus		
State of Haryana and others		...Respondents
104) <u>CWP-13335-2020 (O&M)</u>		
Sundeeep Sardana		...Petitioner
Versus		
State of Haryana and others		...Respondents
105) <u>CWP-13884-2020 (O&M)</u>		
Mange Ram and others		...Petitioners
Versus		
State of Haryana and others		...Respondents
106) <u>CWP-15044-2020 (O&M)</u>		
Anjali Rani		...Petitioner
Versus		
State of Haryana and others		...Respondents
107) <u>CWP-16649-2020 (O&M)</u>		
Seema Rani and another		...Petitioners
Versus		
State of Haryana and others		...Respondents
108) <u>CWP-5680-2022</u>		
Bansi Lal		...Petitioner
Versus		
Haryana Staff Selection Commission and others		...Respondents

109) CWP-5758-2022

Neeta Rani

...Petitioner

Versus

Haryana Staff Selection Commission

...Respondent

110) CWP-6285-2022

Shashi

...Petitioner

Versus

State of Haryana and others

...Respondents

111) CWP-5686-2022

Kuldeep Kumar

...Petitioner

Versus

Haryana Staff Selection Commission
and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. D.S. Patwalia, Senior Advocate with
Mr. Neeraj Sheoran, Advocate
for the petitioners in CWP-18125-2020.

Mr. Jasbir Mor, Advocate
for the petitioners in CWP Nos.17296, 16170, 16729, 16076,
17353 and 17504 of 2020.

Mr. Anil Kumar Sharma, Advocate
for the petitioner in CWP-15910-2020.

Mr. M.S. Tewatia, Advocate
for the petitioners in CWP-18330-2020.

Ms. Deepika, Advocate, for
Mr. S.K. Yadav, Advocate
for the petitioners in CWP-17685-2020.

Mr. Arihant Goyal, Advocate
for the petitioners in CWP-17196 and 20230 of 2020.

Mr. Ajit Sihag, Advocate
for the petitioner in CWP-17752-2020.

Mr. Shivam Malik, Advocate
for the petitioners in CWP Nos.20231 and 17376 of 2020.

Mr. Suresh Kumar Kaushik, Advocate
for the petitioner in CWP-16424-2020.

Mr. Sharon Raju, Advocate, for
Mr. Arvind Seth, Advocate, for the petitioners.

Mr. Sanchit Punia, Advocate, for the petitioners.

Mr. Vinay Arya, Advocate for
Mr. Sandeep Goyat, Advocate for the petitioner
in CWP-19290-2020.

Mr. Jitender Singh Chahal, Advocate
for the petitioners in CWP-17431-2020.

Mr. Naresh Kumar Ganga, Advocate
for the petitioners in CWP Nos.26625, 4733 and 13535 of 2021.

Mr. Gaurav Gupta, Advocate
for the petitioner in CWP-17186-2020.

Mr. Shubham Saroha, Advocate
for the petitioners in CWP-17756-2020.

Mr. Ravi Verma, Advocate
for the petitioner in CWP-16709-2020.

Mr. Jasmer Singh Rozera, Advocate
for the petitioner in CWP-19777-2020.

Mr. Sandeep Thakan, Advocate
for the petitioner.

Mr. Manoj Chahal, Advocate
for the petitioners in CWP-16445-2020 and CWP-18508-2021.

Mr. Ravinder Bangar, Advocate
for the petitioners.

Mr. Shokeen Singh Verma, Advocate
for the petitioners in CWP Nos.16968, 18994, 694
and 16462 of 2020.

Mr. Sumit Sangwan, Advocate
for the petitioner in CWP-19204-2020.

Mr. K.K.Gupta, Advocate
for the petitioners in CWP-18425-2020.

Mr. Ishan Khetarpal, Advocate
for the petitioner in CWP-21591-2020.

Mr. Balraj Singh Dhull, Advocate and
Mr. Pardeep Dhull, Advocate
for the petitioners in CWP Nos.17091, 17441, 17443, 17461,
17211, 17236, 17245 and 17081 of 2020, CWP Nos.5680, 5758
and 5686 of 2022.

Ms. Shruti Jain Goyal, Deputy Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J. (ORAL)

By this common order, all the writ petitions, the details of which have been given in the heading of the order, are being disposed of as all the writ petitions involve the same question of law.

In the present petition, the petitioners are the candidates who have competed for appointment to the posts of Physical Training Instructors, which posts are being filled up keeping in view the directions given by Supreme Court of India while passing judgment in **Civil Appeal No.2103 of 2020** decided on 08.04.2020 titled as **Ramjit Singh Kardam and others versus Sanjeev Kumar and others**. The petitioners were required to undergo a written test in order to become eligible for appointment. The minimum marks required were prescribed to clear the said written test. After the test was conducted, the petitioners had certain grievances with regard to the answers as prescribed in the answer key. According to the petitioners, the answers being given in the answer key were not correct and hence, the correct answers as prescribed in the answer key, need to be changed and consequentially revise the result of the petitioners in the written examination. In the said regard, the petitioners raised grievances qua various questions before the authorities concerned by way of

representations. It is the contention of the petitioners that along with representations, the petitioners also submitted the material to support their objections.

Learned Senior counsel for the petitioners argues that the petitioners had given the material in support of their objections for the consideration of the authorities concerned but according to the petitioners, though in the reply it has been mentioned that the objections raised have already been considered but the material which was given to support the objections, has not been taken into consideration by the respondents, so as to arrive at the conclusion whether there is any merit in the objections being raised by the respective candidates or not.

Learned State counsel submits that though in the reply it has been mentioned that after the objections were raised by the petitioners, all the 100 questions were put before the Chief Examiner for appropriate consideration, who had further placed those questions for the consideration of the committee of experts constituted to consider as to whether there needs to be any change in the answer key or not and after the recommendations of the said expert panel, certain decisions were also taken by the concerned authority with regard to some of the questions, against which objections were raised.

Learned State counsel further submits that keeping in view the instructions which have been received from the Chairman of the Haryana Staff Selection Commission, the Commission again intends to place all the objections received from the candidates along with the material submitted in support of the same, before a panel of subject experts for their consideration,

so that no candidate suffers any prejudice so as to conduct a free and fair selection.

Learned State counsel submits that appropriate decision will be taken by the authorities concerned on the advice/recommendations of the expert panel, within a period of two months from the receipt of copy of this order.

Learned counsel for the petitioners submits that keeping in view the statement of learned State counsel, no further grievance of the petitioners survives in the present petitions and the same may kindly be disposed of as having been not pressed any further.

Ordered accordingly.

A photocopy of this order be placed on the files of all the writ petitions mentioned above.

(HARSIMRAN SINGH SETHI)
JUDGE

26.07.2022
Maninder

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