

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

Sr. No.114

CWP-26812-2021 (O&M)

Date of decision : 05.01.2022

Akshita Singh

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. R.K. Saini, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner is a medical student. She has approached this Court as she has failed in the supplementary examination held for the subjects of General Surgery A & B and Obstetrics & Gynaecology A & B, 3rd Professional (Part-II). After the result was declared, she applied for re-evaluation, but the result remained the same. Thereafter a representation was made to respondents No.1 to 4 for getting her papers checked through an independent examiner, but no action has been taken.

Learned counsel for the petitioner has submitted that the petitioner is being victimized. Perusal of the answer-sheets obtained under the Right to Information Act, 2005, shows that less marks have been awarded. Thus, a direction be issued to the respondents to get the answer-sheets of the petitioner evaluated by some other independent examiner.

Admittedly, the answer-sheets of the petitioner have been checked twice. The allegation of mala fide against the petitioner has not been substantiated. The Court cannot record a conclusion that the answer-sheets have not been properly evaluated or that less marks have been awarded unless and until the question paper is objective in nature. However, keeping in view the fact that a representation dated 14.12.2021 (Annexure P-8) has been submitted, I deem it appropriate to dispose of this writ petition with a direction to respondents No.3 and 4 to consider the same dis-passionately and objectively and decide it by passing a speaking order within four weeks from the date of receipt of certified copy of this order.

(SUDHIR MITTAL)
JUDGE

05.01.2022

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No