

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-2377 of 2023 (O&M)
Date of decision: 06.02.2023

Rahul

..Petitioner

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

Mr. D.K.Singal, Addl.A.G., Punjab.

ANIL KSHETARPAL, J(Oral)

1. The petitioner prays for the issuance of a writ in the nature of certiorari to quash the revised answer key dated 05.01.2023 along with seeking various other ancillary reliefs.

2. The petitioner appeared in the examination held for recruitment to the post of Assistant District Attorney, Punjab. An objective type written examination was held with Multiple Choice Questions. Initially, a tentative answer key was published in order to invite objections. After receipt of the objections, the matter was, once again, considered and a revised answer key was uploaded. As many as 7 questions were withdrawn while awarding 4 marks to every candidate for each of the questions. The correct answer to question no.94 was changed to another option.

3. The learned counsel representing the petitioner contends that question no.1 and 68 in Section A of Question Booklet Set 'C' are out of the syllabus. The learned counsel has drawn the attention of the Court to the syllabus at page 37 of the petition. While referring to Annexure (VII)-

Syllabus at page 37, he submits that while giving syllabus to the candidates, specified topics of Code of Criminal Procedure, 1973, Indian Penal Code 1860, Indian Evidence Act 1963, Code of Civil Procedure 1908 and Constitutional Law were enlisted. Question no.1 and 68 are extracted as under:-

“1. Which one of the following pairs is not correctly matched?

- (a) Dowry death -Section 304B
- (b) Voyeurism -Section 354C
- (c) Bribery -Section 171B
- (d) Robbery -Section 391

68. Which Section of the Criminal Procedure Code, 1973 deals with the powers of Sessions Judge to transfer cases and appeals?

- (a) Section 409
- (b) Section 408
- (c) Section 407
- (d) Section 406”

4. This court has considered the submission of the learned counsel representing the petitioner.

5. The scope of judicial review in these matters is limited. This Court is not expected to sit in appeal against the opinion formed by the Selection Body as well as the Subject Experts. Moreover, the selection is for the post of Assistant District Attorney. The questions, as already noticed, are concerning the requirement of the post.

6. Hence, no ground to issue the writ, as prayed for, is made out.

7. Dismissed.
8. All the pending miscellaneous applications, if any, are also disposed of.

February 06, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

:
:

Yes/No
Yes/No