

**In the High Court of Punjab and Haryana, at Chandigarh****Civil Writ Petition No. 9640 of 2023****Date of Decision: 05.05.2023**

Williamjeet Singh

... Petitioner(s)

Versus

State of Punjab and Others

... Respondent(s)

**CORAM: Hon'ble Mr. Justice Anil Kshetarpal.**

Present: Mr. A.D.S.Jattana, Advocate  
for the petitioner(s).

Mr. Vikas Arora, Assistant Advocate General,  
Punjab.

**Anil Kshetarpal, J.**

1. This is second round of litigation filed by the petitioner. The dispute is with regard to the correctness of the answer key in a competitive exam.

2. The petitioner is the applicant to the post of Steno-typist pursuant to the recruitment notice dated 05.01.2022 published on 06.01.2022. He was supplied the paper booklet Series 'B'. The question paper contained of multiple choice questions and the answers were to be marked in the OMR sheet provided in the question booklet. The criteria of marking the correct answer in the OMR sheet is to darken the most appropriate answer out of the four/five choices given in the OMR sheet itself. Initially, the provisional answer key was published while inviting the objections from the candidates who attempted the exam. After the objections

... were considered, the final answer key was uploaded on the official website.

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Thereafter, the petitioner filed the Civil Writ Petition No. 8097 of 2023 which was disposed of on 20.04.2023 with the following order:-

*“1. The petitioner prays for issuance of a writ in the nature of mandamus to direct the official respondents to award three grace marks for the incorrect/multiple correct answers to question No. 3, 19 and 38.*

*2. The learned State counsel, on the instructions from Mr. Mohit, Senior Assistant, Subordinate Service Selection Board, Punjab, has submitted that the correctness of the aforesaid questions is being reconsidered by the government and a conscious decision shall be taken within a period of one week, positively, from today.*

*3. Keeping in view the aforesaid facts, no further order is required to be passed. Consequently, the present writ petition is disposed of.”*

3. The petitioner came to the Court complaining that the government has failed to take any decision as undertaken by them.

4. Yesterday, when the case was taken up, the learned State counsel was directed to get the complete instructions. In the post lunch session, an order passed by the Chairman, Subordinate Selection Board, Punjab, was produced. However, the learned counsel representing the petitioner has submitted that in the absence of the report of the Expert Committee, the order is incomplete. Hence, the matter was kept for today.

5. The learned State counsel has produced the copies of the reports of the two separate committees consisting of the Subject Experts.

One Committee consisted of the Subject Matter Experts of the Punjabi University, Patiala, whereas, the other Committee consisted of five members including the representative from the Punjab School Education Board, Mohali, Language Department, Punjab, Patiala, Director, Department of Education (Secondary), District Language Officer, Mohali as well as an Expert from the Punjabi University, Patiala.

6. The learned counsel representing the petitioner contends that the objections filed by the petitioner have not been evaluated as the objections to the answer key on booklet Series 'A' have been examined. He further contends that yesterday, a copy of the order was supplied with reference to the booklet Series 'A', whereas, the petitioner was supplied a copy of the attempted answers from the booklet Series 'B'.

7. On the other hand, the learned State counsel has submitted that all the question papers including booklets of Series 'A', 'B', 'C' and 'D' contained similar questions, however, they were not on the same number in each set. The booklets had been rearranged in order to make it hard for the candidates to copy. He submits that the Committee has considered the objections after checking all the questions in accordance with the booklet Series 'A' i.e. by examining the objections on the question basis.

6. The scope of judicial review in such matters has been enunciated by the Supreme Court in *Vikesh Kumar Gupta v. State of Rajasthan and Others (2021) 2 SCC 309* and *Ran Vijay Singh and Others v. State of Uttar Pradesh and Others (2018) 2 SCC 357*. It has been laid down that once the Subject Experts have considered the matter in the context

of the objections filed to the provisional answer key, the Constitutional

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Court is not expected to interfere unless arbitrariness is shown on the face of it. As noticed above, on the interference of the Court in the first round of litigation, the competent authority has already got the objections examined from the two different Committees consisting of the Subject Matter Experts.

7. Keeping in view the aforesaid facts and discussion, no ground is made out to issue the writ. Hence, the present writ petition is dismissed.

**(Anil Kshetarpal)**  
**Judge**

**May 05, 2023**  
**“DK”**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No