

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.11164 of 2023 (O&M)

Date of Order:22.05.2023

Ramandeep Singh and others

.Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. D.S.Patwalia, Sr. Advocate, with
Mr. B.S.Patwalia, Advocate
Mr. Akshit Pathania, Advocate
for the petitioners.

Mr. Vikas Mohan Gupta, Addl.A.G., Punjab.

ANIL KSHETARPAL, J

1. The dispute with regard to the correctness of revised answer key is once again before this Court. This is the second round of writ petition. Initially, the recruitment examination was conducted by the National Institute of Electronics and Information Technology (NIELIT), Chandigarh. The tentative answer key was uploaded while inviting objections from the candidates. On receipt of the objections, the matter was examined by the National Institute of Electronics and Information Technology (NIELIT), Chandigarh, with the help of the subject experts. The result was revised and uploaded.

2. In the first round, on the intervention of the Court, the Principal Secretary(Education) agreed to refer the matter to the experts from Guru Nanak Dev University, Amritsar. After the receipt of the report, the Principal Secretary passed a detailed speaking orders with respect to

examination of each subject wherein it has been disclosed that a joint meeting of the experts of National Institute of Electronics and Information Technology (NIELIT), Chandigarh, Guru Nanak Dev University, Amritsar, Panjab University and Punjabi University, Patiala, was held and the answers were reconciled because there was a difference of opinion.

3. Now, the validity of the aforesaid speaking orders has been challenged on the ground that even after the Principal Secretary decided to have a joint meeting with the experts from various Universities/Institutions, the meeting was held with different subject experts than the ones who examined the tentative answer key from Guru Nanak Dev University.

4. On the other hand, the learned counsel representing the State, while drawing the attention of the court to page Nos.361 and 414 of the paper book, submits that in the first round apart from Professor & Head, Chemistry Department, Guru Nanak Dev University, Amritsar, Dr. Ritu Bala and Ms. Richa Vinayak had considered the objections. He submits that now Dr. Ritu Bala was very much part of the joint meeting which was held in order to resolve the controversy.

5. At this stage, the learned counsel representing the petitioners submits that in the subject of Physics, the professor of Guru Nanak Dev University, who examined previously, was not present in the joint meeting.

6. This court has considered the submissions of the learned counsels representing the parties.

7. The scope of judicial review in such matters is extremely narrow. This court cannot claim to be an expert who has proper knowledge of all the subjects which are the subject matter of examination. In these

circumstances, the court cannot be expected to sit in appeal on the information already furnished by the experts.

8. As already noticed, the scope of the writ court in such matter has been explained in two recent Supreme Court judgments , namely, *Vikesh Kumar Gupta vs. State of Rajasthan and others (2021) 2 SCC 309* and *Ran Vijay Singh and others vs. State of Uttar Pradesh and others, (2018) 2 SCC 357.*

9. It may be noted here that though the petitioners initially issued the appointment letters but they were not permitted to join.

10. Keeping in view the aforesaid facts and discussion, no ground to issue the writ as prayed for is made out.

11. Dismissed.

12. All the pending miscellaneous applications, if any, are also disposed of.

May 22, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :YES/NO
Whether reportable :YES/NO