

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 118

Civil Writ Petition No.11349 of 2023
Date of Decision: July 05, 2023

Shruti Chaudhary

..... PETITIONER(S)

VERSUS

State of Haryana & others

..... RESPONDENT(S)

...

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

...

PRESENT: - Mr. Vaibhav S. Tara, Advocate, for the petitioner.

Mr. Sanjeev Kaushik, Additional Advocate General,
Haryana.

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Tribhuvan Dahiya, J (Oral)

This petition has been filed seeking a writ of *mandamus*, directing the respondents to rectify the Haryana Teacher Eligibility Test, 2022 (for short, 'HTET') result *qua* the petitioner, whereby she has been declared not-qualified in Level 3-PGT (English) examination under General Category.

2. Learned counsel for the petitioner contends that the petitioner, though belonging to a Scheduled Caste, did not have the certificate to that effect issued by the competent authority at the time of filling up the form for the HTET examination, which was held on 03.12.2022. This prevented her from applying as a Scheduled Caste category candidate for the test. The said certificate was issued to her on 06.12.2022 (Annexure P-13). The result of the test was published on 19.12.2022,

wherein the petitioner scored 86 marks and was declared not-qualified. Thereupon, she made a representation dated 23.12.2022 (Annexure P-15) to the respondents requesting rectification of the result under the Scheduled Caste category and considering her qualified, as the cut-off marks to qualify the examination for this category were 82. The representation has been rejected vide communication dated 09.01.2023 (Annexure P-16) on the ground that the petitioner/candidate herself mentioned the 'category' and 'home state' at the time of filling up the form. Learned counsel contends that the rejection is arbitrary and the petitioner, who undoubtedly belongs to a Scheduled Caste category, deserves rectification of the result in view thereof.

3. Mr. Sanjeev Kaushik, Additional Advocate General, Haryana, appearing on advance notice, contends that there is no such procedure to rectify the result once it has been declared. The petitioner has herself filled up her category as 'General' and claimed her to be belonging to 'other State'. Only after declaration of the result she became wiser and came up with the plea by filing the representation, dated 23.12.2022, which has been rightly rejected.

4. The submissions made by learned counsel for the parties have been considered.

5. Undoubtedly, the petitioner herself applied for taking HTET examination as a General category candidate and claimed her to be belonging to 'other State', not Haryana. The Scheduled Caste category certificate, dated 06.12.2022, has been issued to her subsequently by the concerned authority, and cannot have any effect on the examination that has already been held, and taken by the petitioner. Besides, the HTET

examination is held every year and the petitioner is at liberty to take the exam again under the relevant category, as may be claimed by her. Since there is no such procedure known to law whereby a result already declared can be modified, that too on the basis of a certificate issued subsequently, no exception can be taken to the impugned order rejecting the representation.

6. Dismissed.

(Tribhuvan Dahiya)
Judge

July 05, 2023
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<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>