

**205-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

1.CWP-6921-2011 (O&M)

Dr. Kulwant Singh and others

....Petitioners

Versus

State of Punjab and others

..Respondents

2.CWP-15760-2013 (O&M)

Varinder Singh

....Petitioner

Versus

State of Punjab and others

..Respondents

3.CWP-7864-2011 (O&M)

Dr. Lalit Kumar and others

....Petitioners

Versus

State of Punjab and others

..Respondents

Date of decision: 28.02.2023

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Ranjivan Singh, Advocate for the petitioners
in CWP-6921-2011

Mr. D.S.Patwalia, Sr. Advocate with
Mr. Gaurav Rana, Advocate for the petitioner
in CWP-15760-2013

Mr. Achin Gupta, Advocate for the petitioners
in CWP-7864-2011

Mr. R.K. Kapoor, Addl. AG, Punjab

Mr. K.S.Dadwal, Advocate for University

Mr. Rajiv Atma Ram, Sr. Advocate with
Mr.Arjun Partap Atma Ram, Advocate
and Mr. Dhiraj Jindal, Advocate for
respondent no.4 to 39 in CWP-6921-2011
and for respondent no.4 in CWP-15760-2013

ANIL KSHETARPAL, J (Oral)

1. By this order, three connected writ petitions i.e CWP-6921-2011, CWP-15760-2013 and CWP-7864-2011 shall stand disposed of.

2. Learned counsel representing the parties are ad idem that these writ petitions can be conveniently be disposed of by a common order.

3. The relevant facts, in brief, are being noticed from CWP-6921-2011

4. The petitioners pray for the issuance of a writ in the nature of Certiorari to scrap the result of the written examination conducted for the post of the Ayurvedic Medical Officers. The recruitment notice was issued on 29.06.2010. Subsequently, a written examination was held by the authority. The petitioners claim that the answers given to multiple choice questions in the answer key, were wrong and certain questions were vague. It is also alleged that there were multiple errors in the spelling of the words.

5. These writ petitions have come up for disposal after a long period of 13 years. In the meantime, on the direction of the Court, the Government has constituted a committee consisting of three experts in the Education of Ayurveda, who, after examining the question booklet and answer keys, submitted its report on 15.06.2017. Subsequently, the report of the committee was sent to the Director, Ayurveda, being a technical expert, for his comments. After receiving his comments, the matter was referred back to the committee to re-examine the question booklet and the answer keys. The committee, once again, submitted its report on

18.09.2017. The result has been revised and the consequent steps have already been taken by the appointing authority.

6. Sh. Patwalia submits that the marks have been awarded for publication, which was not prescribed in the recruitment notice or the proforma attached.

7. After a passage of 13 years, this Court does not find it appropriate to examine the aforesaid questions, in the facts and circumstances of the case.

8. The dispute with regard to the correctness of the answer key has been examined and re-examined by the experts. The scope of judicial review in such matters is limited. Reliance in this regard can be placed on *Vikesh Kumar Gupta vs. State of Rajasthan (2021) 12 SCC 309* and *Ran Vijay Singh vs. State of Uttar Pradesh (2018) 2 SCC 357*.

9. Hence, disposed of.

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

28.02.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

**(ANIL KSHETARPAL)
JUDGE**