

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-3388-2017 (O&M)
Date of Decision:- 9.10.2023

Shamanjeet Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Sukhbir Maandi, Advocate for the petitioner.

Mr. Sehajbir Singh Aulakh, AAG, Punjab with
Mr. Aman Dhri, DAG, Punjab assisted by
Inspector Gurdev Singh.

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GURVINDER SINGH GILL, J.

1. The petitioner who had applied for appointment as male Constable (Driver) pursuant to an advertisement dated 15.10.2016 (Annexure P-1) has approached this Court alleging therein that the answers uploaded on the website in the answer key to question No. 5, 9 and 18 are not correct.
2. On the last date of hearing i.e. on 28.8.2023, the following order was passed :-

“Learned State counsel requests for more time so as to comply with order dated 16.1.2023.

The State to file a short affidavit specifically pertaining to question No.9 and its answer, which is reproduced hereinunder:

Question No.	Question	Comments
9.	While turning to the left, the driver of a two wheeler shall a) Extend his left hand towards left b) Not show hand signal c) Show left turn signal with his right hand d) None of the above	As per the answer key issued by respondent No.2, the “c” is the correct answer key whereas the petitioner has chosen option “a” which is correct.

Apart from furnishing the aforesaid affidavit, the ADGP (Traffic), Punjab shall depute some responsible official having knowledge about the traffic regulations to appear in person in this Court so as to demonstrate as to how such signals are to be given.
List again on 9.10.2023.”

3. Pursuant to the aforesaid order, learned State counsel has filed reply by way of short affidavit of Shri Gaurav Toora, Assistant Inspector General of Police, Personnel-II, CPO, Punjab accompanied by letters dated 26.9.2023 (Annexures R-1/T and Annexure R-1) wherein a stand has been taken that the answer to the aforesaid question No. 9 has been correctly mentioned as ‘c’ on the basis of Rule 11(3) of Motor Vehicles (Driving) Regulation, 2017 (hereinafter referred to as ‘the Rule’).
4. Learned State counsel has also passed on a notification dated 23.6.2017. Rule 11 of the Rules is reproduced herein-under:-

“11. Indication of signals.-

- (1) The driver shall clearly indicate his intention to change course, turn left or right and before making any manoeuvre, using mechanical or electrical devices fitted in the vehicle or by hand signals.
- (2) In case a mechanical or electrical device in not fitted in the vehicle for giving signals or, the said device is provided but not functioning, the driver shall give manual signals as specified below-
- (i) to stop, a driver shall raise his right forearm vertically outside of, and to the right of, the vehicle, palm to the right;

- (ii) to turn to the right or to drive to the right-hand side of the road in order to pass another vehicle or for any other reason, the driver shall extend his right arm in a horizontal position outside of, and to the right of, his vehicle with the palm of the hand turned to the front;
 - (iii) to turn to the left or to drive to the left-hand side of the road, the driver shall extend his right arm and rotate it in an anti-clockwise direction;
 - (iv) to indicate to the driver of a vehicle behind him that the latter may overtake, the driver shall extend his right arm and hand horizontally outside of, and to the right of, the vehicle and shall swing the arm backward and forward in a semi-circular motion.”
5. In view of the aforesaid rule, it cannot be said that the answer key pertaining to Rule No. 9 is not correct.
6. The learned State counsel has submitted that apart from the fact that the rules with regard to the aforesaid question do not support the case of the petitioner, the Court cannot go into the process of re-evaluation of the answer key and has placed reliance upon a judgment of Hon’ble Supreme Court reported as (2018) 2 SCC 357 - Ran Vijay Singh and others vs. State of Uttar Pradesh.
7. The learned counsel for the petitioner has not pressed his case qua answer key to the other questions.
8. In view of the above reply filed by the State and particularly Rule 11 of Motor Vehicles (Driving) Regulation, 2017 and also the judgment dated 11.12.2017 passed in Ran Vijay Singh’s case (supra), this Court does not find any ground to interfere.
9. The petition is found to be sans merit and is hereby dismissed.

9.10.2023
kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No