

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

LPA-2154-2023 (O&M)

Date of decision : 26.12.2023

Sunita

....Appellant

versus

Haryana Public Service Commission

..... Respondent

**CORAM : HON'BLE MR. JUSTICE ANIL KSHETARPAL
HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. D.S. Gandhi, Advocate
for the appellant.

Mr. Deepak Balyan, Addl. AG, Haryana.

ANIL KSHETARPAL, J. (Oral)

1. This intra Court appeal has been filed to challenge the correctness of judgment passed by learned Single Judge on 29th November, 2023. The dispute in the case at hand is with regard to the correctness of questions asked in a multiple choice question paper. In the beginning, a tentative answer key was published while giving an opportunity to the candidates to file their objections. On receipt of objections, the matter was referred to the subject experts. On the opinion furnished by the subject experts, a revised answer key was published. Hence, the learned Single Judge dismissed the writ petition while refusing to interfere in the matter. This LPA has been filed to challenge the correctness of the aforesaid judgment. On 21st December, 2023, Haryana Public Service Commission was requested to provide the report of the subject experts. Learned counsel for HPSC has produced the report which has also been examined.

2. In Raj Vijay Singh and others Vs. State of Uttar Pradesh and others, (2018) 2 SCC 357, the Hon'ble Supreme Court has held that once the subject experts have examined the matter, the jurisdiction of the Court to interfere becomes limited. Similarly in Vikesh Kumar Gupta Vs. State of Rajasthan and others (2021) 2 SCC 309, the same view was reiterated.
3. In view of the aforesaid facts, no ground to interfere is made out. Appeal is dismissed.
4. The Court Master is requested to return the report of subject experts in a sealed cover to the Government counsel.
5. All the pending miscellaneous applications, if any, are also disposed of.

(ANIL KSHETARPAL)

JUDGE

26.12.2023

m. sharma

(RAJESH BHARDWAJ)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No