

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

208

LPA-947-2022 (O&M)  
Date of Decision: 31.01.2024

Ankit Malik  
...Appellant

Versus

State of Haryana and others  
... Respondents

**CORAM: HON'BLE MS. RITU BAHRI, ACTING CHIEF JUSTICE  
HON'BLE MR. JUSTICE AMAN CHAUDHARY**

Present: Mr. Rajesh Sethi, Mr. Arun Biriwal and  
Ms. Preeti Bansal, Advocates for the appellant  
  
Mr. Deepak Balya, Additional Advocate General, Haryana  
  
Ms. Harpriya Khaneka for HPSC  
  
Mr. Abhishek Vashista, Advocate for  
respondent Nos.3 to 6, 8, 9, 11, 12, 14 to 16, 19 to 21, 25,  
27 to 29, 33, 35 to 40, 42, 45, 46, 48, 49, 51, 52, 54, 58,  
59, 61, 65, 67 to 72  
  
Mr. Manmohan Saroop and  
Ms. Meenakshi Saroop, Advocates for respondent No.7  
  
Mr. Nilesh Singh, Advocate for  
Mr. Nilesh Bhardwaj, Advocate for respondent No.55

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**AMAN CHAUDHARY, J.**

1. The present intra-court appeal, under Clause X of the Letters Patent has been filed against the judgment dated 19.01.2022, vide which the civil writ petition preferred by the appellant came to be dismissed.
2. Having heard learned counsel for the parties at length, we are unable to countenance the submissions canvassed on behalf of the appellant.
3. The challenge laid was to the final answer key as regards questions

No.47, 51 and 63, which were referred to from the grounds of appeal, by the learned counsel. As is apparent, the learned Single Judge had examined the matter in the right perspective so as to hold that the Expert Committee had opined, on the basis of which, the evaluation of candidates was undertaken. It is brought to our notice that one of the questions was deleted, the other was substantiated through the information, derived from the website of “<https://eci.gov> and [www.livelaw.in](http://www.livelaw.in)” and as regards the third, the learned counsel was unable to even persuade us, as well, to accept the answer which he thought was to be correct.

4. A crucial observation made by Hon’ble the Supreme Court in **Vikesh Kumar Gupta vs. State of Rajasthan**, (2021) 2 SCC 309 while relying on **Ran Vijay Singh vs. State of U.P.**, (2018) 2 SCC 357, wherein it was held that Court should not re-evaluate or scrutinize the answer sheets of a candidate as it has no expertise in the matters and the academic matters are best left to academics; it was observed that, “A perusal of the above judgments would make it clear that courts should be very slow in interfering with expert opinion in academic matters. In any event, assessment of the questions by the courts itself to arrive at correct answers is not permissible. The delay in finalization of appointments to public posts is mainly caused due to pendency of cases challenging selections pending in courts for a long period of time. The cascading effect of delay in appointments is the continuance of those appointed on temporary basis and their claims for regularization. The other consequence resulting from delayed appointments to public posts is the serious damage caused to administration due to lack of sufficient personnel.”

5. On a cumulative analysis and as a fall out thereof, no infirmity or perversity is found in the impugned judgment, which may have called for our

interference. As a sequel thereto, the present appeal being sans merit is hereby dismissed.

6. Pending applications, if any, shall be rendered as disposed of.

(RITU BAHRI)  
ACTING CHIEF JUSTICE

(AMAN CHAUDHARY)  
JUDGE

31.01.2024  
ashok/gsv

Whether speaking / reasoned: YES / NO

Whether Reportable: YES / NO