

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2025:PHHC:014257



CWP No. 15136 of 2024 (O&M)

Date of decision : 30.01.2025

Bharat Sanchar Nigam Limited and others ... Petitioners
Versus
Gaurav Chugh and others ... Respondents

**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. Rajesh Gupta, Advocate, for the petitioners.
None for respondent nos. 1 and 3.
Mr. Sandeep Siwatch, Advocate, for respondent no. 2.

SANJEEV PRAKASH SHARMA, J.

Learned counsel for the petitioners has assailed the order dated 22.02.2024 whereby the result of the examination conducted for selection for the post of Junior Telecom Officer was directed to be evaluated by an expert committee qua the evaluation of the answers to the questions which were changed and objected by the examinee, namely, the respondents. Learned counsel for the petitioners submits that it would amount to re-evaluation of the result.

2. However, we find that the direction by the CAT for constituting an expert committee for examining the objections relating to the answers reflected in the answer key published by the petitioners would not amount to directions for re-evaluation. Re-evaluation essentially means checking the answers and awarding marks which may be similar or different from what has been awarded by the examiner earlier. However, examining the objections relating to the answers as reflected in the answer key would

amount to checking the validity of the correctness of the answers. The answer key provided by the petitioners for the limited internal competitive examination also allowed the candidates to submit their queries, discrepancies in questions and their proposed answers with supporting documents. Thus, the examining body itself has invited objections. Once it had invited the objections, it was binding upon the examining body to deal with the objections.

3. A finding of fact has been arrived at by the Tribunal that such objections raised against the provisional answer key were not considered by the expert committee while finalizing the result, which was declared on 02.11.2016. Such finding of fact of objections not being considered vitiate the final result and, therefore, the directions issued by the CAT, as noticed (supra), by constituting a separate expert committee or referring to the existing expert committee cannot be objected to and does not warrant any interference.

4. The writ petition is misconceived and is accordingly dismissed with directions to carry out the fresh exercise expeditiously and make selection in accordance with the revised result.

5. All pending applications stand disposed of.

6. No costs.

(SANJEEV PRAKASH SHARMA)
JUDGE

31.01.2025
vs

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No