



**CWP-17287-2025 with
CWP-19100-2025**

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

Date of Decision: 18.07.2025

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CWP-17287-2025

Gome Bam

...Petitioner(s)

Versus

Haryana Public Service Commission

...Respondent(s)

And

118

CWP-19100-2025

Sapna Rani

...Petitioner(s)

Versus

Haryana Public Service Commission

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Dr. Payel Mehta, Advocate for the petitioner(s)

**Mr. Gurnoor S. Sandhu, Advocate for the respondent/
Commission in CWP-17287-2025**

**Ms. Harpriya Khaneka, Advocate for the respondent/
Commission in CWP-19100-2025**

TRIBHUVAN DAHIYA, J. (Oral)

These two petitions are being decided together as identical issues on similar facts arise for consideration therein. For brevity, facts have been taken from CWP-17287-2025.



2. The petition has been filed *inter alia* seeking a writ of *certiorari* setting aside final answer key, dated 27.05.2025, Annexure P-4, and result of Screening Test held on 27.04.2025, dated 27.05.2025, Annexure P-5, for the post of Assistant Professor (College cadre) Physical Education.

3. It is not disputed that pursuant to declaration of the Screening Test result, the Commission notified Subject Knowledge Test for the post on 15.06.2025 which has already been conducted.

4. In these circumstances, learned counsel for the petitioner contended that the petition was filed prior on 09.06.2025. The mentioning for early listing of the matter made on 10.06.2025, was not allowed by this Court. Therefore, the petition could not be taken up for hearing at an early date when the Subject Knowledge Test had not been conducted. And the petitioner should not be non-suited on this account. She further contended that the petitioner raised objection to question nos.7, 29 and 77 of the Screening Test. The answer to these three questions were correct in the provisional answer key uploaded by the Commission, Annexure P-3. However, in the impugned final answer key, Annexure P-4, answer to question nos.7 and 77 were changed, whereas question no.29 was deleted. This could not have been done as the answers given in the provisional answer key were correct which stands established on the basis of documents/extracts of books placed on record as Annexures P-8 to P-10. She also placed reliance upon the Supreme Court judgment in *Sidhi Sandeep Ladda v. Consortium of National Law Universities and another*, 2025 INSC 714.

5. Learned counsel for the Commission, on the contrary, contends that the petition has been rendered infructuous as the Subject Knowledge Test



has already been held, for which the petitioner was not shortlisted, and cannot be allowed to participate in the process of selection any further. He also contends that after uploading the provisional answer key, objections were invited from the candidates which were placed before subject experts. There had been objections to aforesaid three questions also and only after receiving the experts' opinion and in terms therewith answers to question nos.7 and 77 were changed in the final answer key, and question no.29 was deleted. Therefore, the same cannot be questioned by a candidate/the petitioner. He has further placed reliance upon the law laid down by this Court in a batch of petitions decided with Civil Writ Petition No.30309 of 2024 titled *Amit and others v. State of Haryana and others*, on 08.01.2025.

6. Heard.

7. Considering the submissions, this Court finds no ground to entertain the petition. As apparent, after uploading the provisional answer key of Screening Test on 30.04.2025, the Commission invited objections from the candidates. The objections to question nos.7, 77 and 29 of the test, challenged by the petitioner herein, were also received and only after obtaining the experts' opinion in that regard the final answer key/result was issued. There is no allegation of any *mala fide* or wrongdoing on the part of the Commission or the experts. Accordingly, there is no ground for this Court to entertain any doubt about the opinion given by the subject experts concerning these questions, nor can this Court substitute its own opinion with that of the experts as per the settled law. Besides, it has already been held in *Amit and others* case (*supra*)



that based on the advise of subject experts, questions can be deleted and answers can be modified by the examining body. It reads as under:

8. So far as deletion of eleven questions from the Screening Test is concerned, that also cannot be a ground in itself to set aside the test. It remains undisputed on record that after conducting the Test, the Commission invited objections from the candidates against the provisional answer key. The same were sent to the concerned subject experts and only on the basis of their opinion the answer key was finalised; the deletion of questions was also based on their advice. Thereafter, the result of Screening Test was prepared without assigning any marks for the deleted questions. Resultantly, all the examinees have been treated at par. Merely because some of them attempted the deleted questions and their answers were correct as per the provisional answer key, this would not give them any right to object to the deletion because, firstly, correct answer to the question(s) had not been finalised by then and, secondly, in the face of experts' opinion against inclusion of those questions in the Test, a candidate had no right to claim marks against the same. It is not the petitioners' case that there is any bar on deletion of questions. Besides, there is no *mala fide* alleged against the subject experts, nor has any other document been placed on record discrediting their judgment in deciding the objections and/or recommending deletion of questions. In these circumstances, the Commission is within its rights to delete the questions based on the experts' opinion.

Further, *Siddhi Sandeep Ladda* case (*supra*) has no application to the facts of the instant case since in that matter the Court was of the view '*when the academicians themselves act in a manner that adversely affects the career*



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aspirations of lakhs of students, the Court is left with no alternative but to interfere’. Such a situation does not arise here, as there is no allegation of any kind against the subject experts/academicians.

- 8. In view thereof, there is no ground to entertain the petitions, and the same stand dismissed.
- 9. A photocopy of this order be placed on connected file.

(TRIBHUVAN DAHIYA)
JUDGE

18.07.2025
Payal

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No