



125 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-2392-2025 (O&M)
Date of Decision: 29.08.2025

Anshu ...Appellant

Vs

State of Haryana and others ...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Sumit Sangwan, Advocate for the appellant.

Mr. Puneet Gupta, Addl. AG, Haryana.

Mr. Kanwal Goyal, Advocate for respondent No.3.

ASHWANI KUMAR MISHRA, J. (Oral)

1. Learned Single Bench has refused to interfere in the writ petition challenging the answer key published by the respondent – Commission by relying upon various judgments of the Hon'ble Supreme Court as well as this Court.

2. On the last date, when the matter was heard, we indicated that similar view has been taken by this Court in LPA-2368-2025, relying upon the judgment of the Hon'ble Supreme Court in **Ran Vijay and others vs. State of UP and others** 2018 (2) SCC 357.

3. Learned counsel for the appellant has attempted to distinguish the order by relying upon the judgment of the Hon'ble Supreme Court in the case of **Siddi Sandeep Ladda v. Consortium of National Law Universities and another**, 2025 INSC 714 and **Rustam Garg vs. Punjab and Haryana High Court Chandigarh and others** CWP-17608-2019, decided on 08.08.2025.

4. Learned Single Bench has dealt with the grievance of the appellant, wherein correctness of Questions No.39, 42 and 55 were assailed in the screening test held for the post of Assistant Professor (College Cadre) Botany pursuant to advertisement No.42/2024. In Paras No.2 to 5, the learned Single Bench has dealt with the facts of the case, which are reproduced as under:-

“2. Learned counsel for the petitioner contends that the aforesaid three questions have been wrongly deleted. There was no dispute about their answers, and the provisional answer key give the correct answers to all these questions. He further contends that in the final answer key answer to question no.98 has been wrongly mentioned as option ‘B’. The correct answer as per the material placed on record, including extract of a book ‘Plant Biotechnology – The genetic manipulation of plants’, by Adrian Slater, Nigel Scott, and Mark Fowler, is option ‘C’. This has caused material prejudice to the petitioner who has secured 63.8021 marks, as against the cut-off of 64.84. The aforesaid questions have been correctly answered by her, and she deserves to be given marks for the same as well.

3. Learned counsel for the Commission, on the contrary, contends that after holding the Screening Test, provisional answer key was uploaded on the Commission's website on 05.05.2025 inviting objections from the candidates. All the objections received were sent to independent subject experts, and as per their report, the final answer key has been published on 30.05.2025 along with the Screening Test result. It is as per the opinion of the experts that aforesaid three questions, 39, 42 and 55, have been deleted and answer to question no.98 has been maintained as option ‘B’. He has brought the subject experts’ report in a sealed cover.

4. Heard.

5. The subject experts’ report brought by learned counsel for the Commission has been perused which shows question nos.39, 42 and 55 have been deleted as per opinion of the experts being not

properly framed. Regarding question no.98, the experts have opined option 'B' as the correct answer. In the face of opinion by experts, who are working on senior academic positions in different Universities, this Court finds nothing wrong in the action taken by the Commission in deleting the aforesaid three questions and maintaining option 'B' as the correct answer to question no.98. The report has been re-sealed and returned."

5. So far as the judgment relied upon by the appellant in the case of Siddhi Sandeep Ladda case (supra) and Rustam Garg case (supra), learned Single Judge has made the following observations:-

"6. The reliance placed by learned counsel for the petitioner on an order, dated 27.05.2025, passed by the Division Bench in CWP-17608-2019 titled Rustam Garg v. Punjab and Haryana High Court Chandigarh and others, as well as the Supreme Court judgment in Siddhi Sandeep Ladda v. Consortium of National Law Universities and another, 2025 SCC Online SC 1144, is of no help since the same were rendered on different facts. In Rustam Garg case, the Court found infirmity in the original assessment of a particular question by the experts, leading to appointment of another expert for re-evaluation. This is not so in the case at hand. In the second matter, Siddhi Sandeep Ladda case, the Court interfered on a situation where it found that academicians themselves have acted in a manner that adversely affected the career aspirations of lakhs of students. No such situation arises in the instant case."

6. Though the judgments relied upon by the learned Single Bench have been pressed again before us but we do not find any substance in such attempt inasmuch as the final answer key issued by the Commission is based on the opinion of the expert which ordinarily would not be interfered with in view of the observations made by the Hon'ble Supreme Court in the case of Ran Vijay Singh (supra), wherein, following observations were made

“31. On our part we may add that sympathy or compassion does not play any role in the matter of directing or not directing re-evaluation of an answer sheet. If an error is committed by the examination authority, the complete body of candidates suffers. The entire examination process does not deserve to be derailed only because some candidates are disappointed or dissatisfied or perceive some injustice having been caused to them by an erroneous question or an erroneous answer. All candidates suffer equally, though some might suffer more but that cannot be helped since mathematical precision is not always possible. This Court has shown one way out of an impasse – exclude the suspect or offending question.

32. It is rather unfortunate that despite several decisions of this Court, some of which have been discussed above, there is interference by the Courts in the result of examinations. This places the examination authorities in an unenviable position where they are under scrutiny and not the candidates. Additionally, a massive and sometimes prolonged examination exercise concludes with an air of uncertainty. While there is no doubt that candidates put in a tremendous effort in preparing for an examination, it must not be forgotten that even the examination authorities put in equally great efforts to successfully conduct an examination. The enormity of the task might reveal some lapse at a later stage, but the Court must consider the internal checks and balances put in place by the examination authorities before interfering with the efforts put in by the candidates who have successfully participated in the examination and the examination authorities. The present appeals are a classic example of the consequence of such interference where there is no finality to the result of the examinations even after a lapse of eight years. Apart from the examination authorities even the candidates are left wondering about the certainty or otherwise of the result of the examination – whether they have passed or not; whether their result will be approved or disapproved by the Court; whether they will get admission in a college or University or not; and whether they

will get recruited or not. This unsatisfactory situation does not work to anybody's advantage and such a state of uncertainty results in confusion being worse confounded. The overall and larger impact of all this is that public interest suffers."

(emphasis supplied by us)

7. Learned Single Bench has also perused the opinion of the expert and found no reason to interfere with the same.

8. In that view of the matter, we do not find any substance in the present appeal and the same is dismissed accordingly.

9. All pending misc. application(s), if any, also stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

29.08.2025

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1. Whether speaking/reasoned?	:	Yes/No
2. Whether reportable?	:	Yes/No