

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

**CWP-155-2018
DECIDED ON: 11.05.2026**

ANIL AND ANOTHER

.....PETITIONER(S)

VERSUS

UNION OF INDIA AND ORS

.....RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr.Balraj Gujjar,
Advocate for the petitioners.

Ms.Geeta Sighwal, Sr. Panel Counsel
for respondents-UOI.

SANDEEP MOUDGIL, J (ORAL)

1. Prayer:

The petitioners have approached this Court under Articles 226 and 227 of the Constitution of India seeking quashing of order dated 04.12.2017 (Annexure P-6), whereby they have been declared as not qualified in skill test which is violative of natural justice.

2. Brief facts:

The petitioners had applied for the post of ASI(Steno) under OBC category in CRPF for the year 2016-17 which had a certain selection criteria i.e physical standard test, written examination, skill test, medical examination and finally drawl of final merit list.

Based on the selection criteria, the petitioners passed all the tests but later a Board of Officers was constituted to check the eligibility criteria as per the advertisement and the board found that during revaluation, four candidates including two petitioners were found to be “Not Qualified” .

Hence, the present petition.

3. **Contentions:**

Learned counsel for the petitioners contends that the impugned order is arbitrary, illegal, and punitive in nature. It is submitted that the petitioners were declared to have passed the skill test by the Presiding Officer but all of a sudden beyond procedure, a Board for medical examination was detailed and the Board without hearing the petitioners arbitrarily conducted revaluation and declared the petitioners to be not qualified.

It is asserted by the counsel that there were 16 recruitment centres and no such Board for revaluation of skill test has been detailed for the other centres added with the fact that there exist no provision in the advertisement for detailing such Board for the revaluation of the skill test.

Per contra, learned counsel for the respondent contend that the skill test of 47 candidates was conducted and IG-Jammu vide signal dated 13/-9/2017 desired that GC-Bantalab to direct the Board Of Officers to complete the dossiers of candidates in all respect however after passing the medical test, the petitioners were found to be not eligible since the mistakes/missing words performed by the petitioners in skill test (stenography) were beyond the permissible limit/percentage i.e more than 5%.

It is further contended that the revaluation has been done as per advertisement dated 03.03.2017 (Annexure R-1) wherein it is clearly stated at Para 16(IV)(6) that “*CRPF reserve the right to make any modification*

compatible with recruitment rules in skill test assessment procedure and any other changes to be made”.

Heard both the parties at length.

4. Analysis:

Upon careful consideration, the Court finds that the present petition challenges the revaluation process which disqualifies the petitioners despite their passing all the requisite tests, alleging arbitrariness and hardship. This court is sanguine of the fact that revaluation is important in examinations because it helps ensure fairness, accuracy, and transparency in the marking process. But, if the candidate passes the stenography test skill based on the initially declared evaluation criteria as in the present petition, a subsequent revaluation cannot disqualify the candidates.

A perusal of the case at hand makes it amply clear that checking of the typing examination was done manually as a result of which oversight occurred in the evaluation which by no stretch of imagination be accepted as an excuse for revaluation. It is a settled proposition of law that once a candidate is declared qualified or selected based on rules, that status cannot be disturbed arbitrarily through revaluation or re-assessment unless the governing rules permit it or there is a clear legal defect. Revaluation is not an automatic right therefore it cannot be used to arbitrarily alter results. Once a candidate is declared qualified, their position has a legal sanctity therefore any change through revaluation is valid only if rules expressly permit it. Allowing unrestricted revaluation would create administrative chaos and endless litigation.

This court opines that it is the function of the examining body comprised of experienced and expert teachers in the subjects, to formulate the policy as to how the evaluation of the performance as of the examinees is to be

made and the procedure in which results are to be prepared and published which seems to be missing in the instant case wherein the discrepancies have been openly admitted in the written statement which are as under:-

- a). Almost 32+32 text sheet were examined that day by the examiner alone and due to paucity of time, oversight/slight error occurred in evaluation;
- b). The error occurred purely because of human error which was intended to complete the assignment within the stipulated time.

Further, during the course of arguments in the court, it has also been put forward by the counsel for the petitioner that the Board was constituted only for medical examinations, added with the fact that out of 16 recruitment centres, no such Board for revaluation of skill test had been detailed for the other centres because there was no provision in the advertisement itself for detailing such board for the revaluation of the skill test therefore it would be against the principle of Natural justice that the Board constituted for medical purposes be allowed to conduct revaluation of Steno type tests and put the clock back causing harassment to the petitioners.

Also, a perusal of the advertisement dated 03.03.2017(Annexure R-1), para 16(IV)(6) supra makes it clearly evident that right to make any modification compatible with recruitment rules in skill test assessment procedure does not give the right to outrightly change the result and disqualify the earlier qualified candidates in skill type tests.

5. Conclusion:

In light of the foregoing discussion, this Court finds that the petitioners have been victim of the arbitrariness and procedural irregularity prevailing in the administrative system thus warranting interference of this Court

under writ jurisdiction. Therefore, the order dated 04.12.2017 (Annexure P-6), stands quashed. The respondents are directed to reconsider the petitioners for the post of ASI (Steno) under the OBC Category as both have passed written skill and medical test, in the interest of justice.

Accordingly, the petition is Allowed .

11.05.2026

NainaRajput

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>