

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

276

Date of Decision: 27.03.2026

1.

CWP-17986-2025

KHUSHBU

...Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

...Respondent(s)
2.

CWP-34803-2024

REENA DEVI

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)
3.

CWP-34668-2024

SUNITA

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)
4.

CWP-17294-2025

CICELIA MOHAN THOMAS

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)
5.

CWP-19665-2025

SHOBHA RANI

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)
6.

CWP-20644-2025

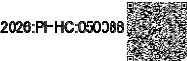
ANJU BALA

...Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

...Respondent(s)



7.

CWP-17298-2025

PARVEEN KUMAR

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)
8.

CWP-17315-2025

ABHINAV

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)
9.

CWP-18408-2025 (O&M)

SAMIKSHA

...Petitioner(s)

Versus

HARYANA PUBLIC SERVICE COMMISSION

...Respondent(s)
10.

CWP-19637-2025

NIKKU NEHRA

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)
11.

CWP-21589-2025

DINESH KUMAR

...Petitioner(s)

Versus

HARYANA PUBLIC SERVICE COMMISSION AND ANOTHER

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Sarthak Gupta, Advocate with
Mr. Abhijeet Singh, Advocate; Mr. Sanchit Punia, Advocate;
Mr. Vikas Singh Chawra, Advocate;
Mr. Varun Veer Chauhan, Advocate and
Mr. Anshul Khurana, Advocate;
Mr. Harsh Jain, Advocate and Mr. Abhishek Singla, Advocate;
Mr. Sunil Kumar Dhanda, Advocate;



Mr. Sumit Sangwan, Advocate; and
Mr. Sameer Sachdeva, Advocate for the petitioner(s).

Mr. Ravi Dutt Sharma, Deputy Advocate General, Haryana.

Ms. Harpriya Khaneka, Advocate (Through Video Conferencing)
for the respondents/HPSC.

(in CWP nos. 17986, 17294, 20664, 17298, 17315, 18408, 19637
and 21589 of 2025)

Mr. Gurnoor S. Sandhu, Advocate;
Mr. Kanwal Goyal, Advocate with
Ms. Sheena Dahiya, Advocate; and
Mr. Balvinder Sangwan, Advocate;
for the respondents/HPSC. (in remaining cases)

TRIBHUVAN DAHIYA, J. (Oral)

The aforementioned petitions are based upon similar facts
involving common issues; accordingly, the same are being decided together.

2. For brevity, the facts have been noticed from CWP-17986-2025,
which has been filed, *inter alia*, seeking a writ of *mandamus* directing the
second respondent/HPSC to evaluate the Optical Mark Recognition (OMR)
answer sheet of the petitioner and allow her to participate in the selection
process for the post of Assistant Professor (Zoology) against advertisement
67/2024, dated 02.08.2024, Annexure P-1.

3. Learned counsel for the petitioner(s) contended that while filling
up OMR answer sheet, the petitioner wrongly darkened circles against her roll
number, and on that account it was not evaluated by the Commission. This is
a trivial mistake and by ignoring the same the OMR sheet should have been
evaluated. Not doing so has caused serious prejudice to the petitioner as she
has been ousted from the selection process. In support of his contention,
reliance has been placed upon *Vashist Narayan Kumar v. State of Bihar and
others*, (2024) 11 SCC 785. It has also been contended that a co-ordinate



Bench of this Court in CWP-30581-2024 titled *Renu Sharma and others v. Haryana Public Service Commission*, vide judgment dated 20.01.2025, has held that such a trivial mistake while filling up the OMR sheet needs to be ignored, and cancellation of candidature on such a ground would not be justified. Although operation and effect of the aforesaid judgment has been stayed by the Division Bench in LPA-677-2025, vide order dated 06.03.2025, the issue has not been finally decided. Therefore, the instant petition may be adjourned to await final outcome of the LPA.

4. Learned counsel for the respondents/HPSC, however, contended that all the candidates, including the petitioner, were duly issued instructions how to fill up the OMR sheets. It was specifically mentioned that any omission or discrepancy in filling up the roll number, questions booklet series and question booklet number will render the OMR answer sheet liable for rejection. They were also instructed that original OMR sheet would be scanned by computer and the candidates must fill/darken the circle completely and properly. The instructions have undisputedly been violated by the petitioner, as she failed to darken the correct circle for her roll number. As a result, her OMR sheet could not be evaluated by electronic process of scanning and was rejected. The law has already been settled by this Court in *Suman Mor v. State of Haryana and others*, 2023 NCPHHC 159878, that such a discrepancy would render the OMR sheet liable for rejection.

5. The issue whether a wrongly filled OMR sheet can be ordered to be evaluated or corrected, was considered by this Court in *Suman Mor* case *ibid.*, holding that it cannot be. The observations are as under:

7. Concededly, the petitioner did not darken the correct circle relating to question Booklet Series-A in the OMR sheet, instead,



the circle against Booklet Series-C was darkened. Accordingly, the sheet was evaluated on the basis of the answers key of question Booklet Series-C. After declaration of screening test result, she submitted representation for re-checking of the same on the basis of question Booklet Series-A, based upon which she answered the questions. It is not in dispute that OMR sheets of all the candidates have to be electronically evaluated, without any human intervention. Further, it has not been pointed out that there is any provision for re-evaluation/re-checking of the sheet on account of inadvertent mistake(s) in giving particulars regarding roll number, question booklet series etc. or for any other cause. Besides, clear instructions were issued to all the examinees, including the petitioner, to darken roll number and test booklet series code carefully at appropriate place, as any omission or discrepancy in it will render the OMR sheet liable for rejection.

8. xxx xxx xxx

9. Despite having been duly instructed, the petitioner failed to correctly darken the circle concerning the question Booklet Series Code in the OMR sheet, which was evaluated electronically in due course. In the absence of any provision for re-evaluation/re-checking, it cannot be claimed as a matter of right. Besides, there is no provision for manual intervention to correct the OMR sheet in any manner, once it has been handed-over to the invigilator/authorities by the examinee after the test, nor is there any provision for correction of inadvertent human error after the test. It is only to ensure sanctity and credibility of the examination process, that the procedure to electronically evaluate the OMR sheets has been adopted which is required to be rigorously followed, without a breach.

10. It is apt to make a reference to the judgment rendered in Jagdish Chandra case (supra) [*Union of India and others v. Jagdish Chandra*, 2022 (3) SLR 237], wherein after considering Pankaj Sharma case (supra) [Civil Appeal no.7158 of 2019 titled *J&K Board of Professional Entrance Examination and others v.*



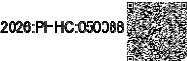
Pankaj Sharma and another], it was held that correction of such a mistake will compromise secrecy of the OMR sheet as well as the evaluation process. Besides, permission to correct such mistakes will lead to chaos in the examination process. Relevant paragraphs of the judgment read as under:

22. The plea raised that the mistake committed by the respondent was minor and technical, which on the face of it may appear to be so, however, in case the correction of said mistake is permitted, the same would surely compromise the secrecy of the OMR answer sheet and the evaluation process inasmuch as on a request being made to permit correction, the OMR answer sheet would have to be taken out from the entire lot, the same would be corrected, resulting in identification of the OMR answer sheet with respect to a particular candidate and a possibility of further tinkering with the OMR answer sheet cannot be ruled out.

23. In the present case, the respondent may be one candidate, however, in a given examination there may be several such candidates who may claim to have committed some mistake in indicating the particulars and if it is held as a matter of principle that such mistakes in OMR sheets must be permitted to be corrected, the same would lead to chaos inasmuch as all such candidates then would be required to be permitted to make corrections, exposing the entire lot of OMR answer sheets, which consequence cannot be permitted.

Therefore, the argument of learned senior counsel that the petitioner should be allowed to correct the inadvertent mistake and/or her OMR sheet should be re-evaluated as per Test Booklet Series-A, cannot be entertained.

6. The judgment in *Vashist Narayan Kumar* case (supra) is on different facts and does not relate to the petitioners' case in any manner. It was a case where the candidate had wrongly mentioned his date of birth as



08.12.1997, while filling up the application form. His school marksheet attached with the form reflected his correct date of birth as 18.12.1997. This discrepancy was not considered material so as to call for rejection of the candidature. Apparently, the case did not concern the filling up of OMR sheet or the process of evaluation as such, electronic or otherwise; nor did the nature of error relate the candidate’s answer sheet or OMR sheet.

7. The submission by learned counsel for the petitioner(s) to adjourn these cases to await the decision by the Division Bench in *Renu Sharma* case (*supra*) can also not be entertained, as the Court is bound to decide the cases on law as it stands. Thus far the petitioners do not have any right to seek participation in the selection process after rejection of their OMR sheet. This is in terms of *Suman Mor* case (*supra*) which has been decided taking into consideration the view expressed by the Supreme Court in *Jagdish Chandra* case (*supra*). Accordingly, there is no justification to keep the *lis* pending which pertains to public employment.

8. Accordingly, finding no merit in these petitions, the same stand dismissed.

9. Pending miscellaneous application(s), if any, also stand(s) disposed of.

10. A photocopy of this order be placed on the connected files.

(TRIBHUVAN DAHIYA)
JUDGE

27.03.2026
Ad

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