



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

**CWP-21093-2025
Reserved on: 01.10.2025**

Pronounced on: 14.10.2025

Tejpal and others Petitioners

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. D.S. Patwalia, Senior Advocate, with
Mr. Gaurav Rana, Advocate, for the petitioners.

Ms. Tanushree Gupta, Senior Deputy Advocate General,
Haryana.

Mr. Kanwal Goyal, Advocate, for respondent no.2/Commission.

TRIBHUVAN DAHIYA, J.

The petition has been filed by six candidates for the post of Post Graduate Teacher (PGT) Computer Science advertised by the second respondent/Commission vide advertisements 26 and 36 of 2023, dated 24.06.2023, Annexures P-1 and P-2 respectively. They have *inter alia* sought a writ of *certiorari* quashing the question paper of Subject Knowledge Test conducted by the Commission on 15.06.2025 for the post in question, as also the actions taken as a consequence thereto.

2. As per facts apparent on record, Subject Knowledge Test for total 1633 posts of PGT Computer Science in Rest of Haryana cadre and 78 posts



in Mewat cadre was conducted on 15.06.2025; total 5184 candidates, including the petitioners, appeared in the test. On remaining unsuccessful, the petitioners approached this Court on the ground that questions bearing no.4, 5, 6, 8, 10, 11, 12, 14 and 15 of the test were out of syllabus, which caused them serious prejudice. The second objection taken by them is that on appearing for the test, they were handed over a question paper, Annexure P-5, containing fifteen questions and were required to answer all of those; whereas, candidates appearing in Subject Knowledge Test for all other subjects were asked to answer fifteen out of eighteen questions. To substantiate the fact, question papers of Sociology, Psychology, Political Science, Physics, Physical Education, Music, Mathematics, Home Science, History, Geography, Fine Arts, English, Economics, Commerce, Chemistry and Biology have been placed on record as Annexures P-6 to P-21, respectively. Accordingly, the petitioners have been discriminated against by not providing the same choice to answer the questions as given to other candidates.

2.1. The following scheme/pattern of examination for the Subject Knowledge Test has been mentioned in both the advertisements:

2. Subject Knowledge Test

- a) Time duration of exam: 03 hours
- b) Total Marks: 150
- c) The syllabus is enclosed at Annexure-I.
- d) The examination paper will only be in English language.
- e) The numbers of the candidates to be called for interview will be two times, including bracketed candidates if any, of the number of category-wise advertised posts provided that they have secured the minimum cut-off marks of 35%.
- f) The weightage of the subject knowledge test will be 87.5%.



3. In this factual background, learned senior counsel for the petitioners has contended that there is no justification to adopt a different pattern of examination only for the posts of PGT Computer Science, to the petitioners' disadvantage. There is no application of mind in adopting the aforementioned different pattern of examination. That's why the Commission has not been able to come up with any valid reason to give a different and distinct question paper only for the posts petitioners have applied against. In the absence of any justification for prescribing this pattern, the decision can only be termed illogical and arbitrary. *Secondly*, he has contended though the experts have concluded that the questions objected to by the candidates, except one, were not out of syllabus, no reasons have been given for the conclusions arrived at. In the absence of justification as to how the questions are within the syllabus, it would not be appropriate to reject the objections. *Lastly*, it has been contended that one of the questions has been accepted to be out of syllabus and after deleting the same, answer scripts have been evaluated for the remaining fourteen questions carrying total 140 marks, instead of the marks for which the test was originally meant to be held. As per stipulations in the advertisements under "Scheme/Pattern of Exam", the Subject Knowledge Test is of total 150 marks based on the syllabus enclosed. Instead of evaluating the scripts for lesser marks in total, the Commission was required to give grace marks to each candidate for the deleted question carrying ten marks, that would have retained the total marks for the test as 150.

4. *Per contra*, learned counsel for the Commission has contended that out of 5184 candidates who appeared for the Subject Knowledge Test,



only six are before this Court, and only for them entire test should not be set aside. Besides, the Commission has followed due procedure, and the objections raised by them have been considered by a body of experts. The final answer key, after deletion of one question, has been uploaded only in terms of the advice tendered by the experts which needs to be respected. In case a different pattern of examination in the test has been adopted for the post in question, there is nothing arbitrary or unreasonable about it. He has referred to an affidavit, dated 08.09.2025, filed by Secretary of the Commission in this regard. It is to the effect that the scheme of examination does not mention anything about the number of questions to be given in the test; therefore, the petitioners cannot claim any right to answer fifteen out of eighteen questions. A candidate cannot be granted liberty to decide the pattern of question paper; it is the Commission's prerogative to decide and/or change the same. No prejudice has been caused to the petitioners on account of the changed pattern because all candidates have been assessed on the basis of the same question paper. The affidavit also states as under:

7. That as far as the second aspect is concerned, viz. some question being out of syllabus, the Commission, upon receiving representations from the candidates, sent the same to subject experts for verifying as to whether the questions set in the Subject Knowledge Test are out of syllabus or not. After considering the objections raised by candidates, the Subject Experts have submitted report mentioning that only one question is out of syllabus.
8. That in view of the expert report, the Commission has decided to drop one question which is reported to be out of syllabus. It is further submitted that the answer scripts will be evaluated for the remaining 14 questions. The



maximum marks will now be 140 instead of 150. The maximum marks for being in the zone of consideration for the interview stage will be 35% of the 140, i.e. 49 marks.

4.1. Learned counsel for the Commission has also produced subject experts' report dated 24.06.2025, which has been perused. It shows all the questions objected to by the petitioners, along with other objections, have been examined by the experts holding the position of Professor of Computer Science in an institute of higher learning. As per their recommendations, all the questions, except question no.14, are "well within the syllabus". However, no reasons have been recorded in the column of justification, except for questions no.13 and 14. The report has been re-sealed and returned to learned counsel for the Commission.

5. Submissions made by learned counsel for the parties have been considered.

6. As per facts brought on record, total 5184 candidates appeared in the Subject Knowledge Test for the posts of PGT Computer Science, held on 15.06.2025. The objections received regarding the questions being out of syllabus were sent to the subject experts holding senior academic positions, and as per their advice only one of the objected questions was out of syllabus; accordingly, question no.14 was deleted by the Commission. The evaluation of answer scripts has been done for the remaining fourteen questions carrying total 140 marks. As per stipulations in the advertisements, the number of candidates to be called for interview is two times the number of category-wise advertised posts, provided they secure the minimum cut-off marks of thirty-five per cent. Accordingly, the candidates who have secured minimum thirty-five per cent marks of 140, i.e., forty-nine marks, and fall within two times



the number of advertised posts, are to be called for interview in terms of the stipulations.

7. It has not been disputed that candidates for the posts of PGT in other subjects were given eighteen questions in the Subject Knowledge Test, and were required to answer only fifteen. However, a different pattern of examination was followed for the posts of PGT Computer Science, which was the same for all the candidates who had applied for these posts. In case for the posts of PGT in other subjects candidates were required to take the test on a pattern of examination different from the one adopted for the post of PGT Computer Science, it cannot be termed arbitrary or discriminatory to the candidates for the latter post, like the petitioners. It has not caused them any prejudice on that score as they formed one particular class/category, *viz.*, PGT Computer Science candidates, and all of them were asked to take the test based on one pattern of examination. The candidates for the posts of PGT in other subjects belong to different class(es), and in case the Commission has asked them questions on a distinct pattern, it is not discriminatory *qua* the petitioners. There is uniformity in the examination pattern within the class of candidates who applied for the posts of PGT Computer Science. Accordingly, the argument of learned senior counsel that the petitioners could not have been asked questions on a different pattern is misconceived, and stands rejected.

7.1. The second contention that absence of reasoning in the report of experts, who have considered objections regarding the questions being out of syllabus, makes it unacceptable - carries weight. Although there are no doubts raised about the competence or standing of the experts in the field, nor has any *mala fide* been alleged against them, an important aspect relating to the



report perused cannot be ignored. It had four columns- question number, syllabus component, recommendation, and justification. The experts however chose to give justification/reasons only for two of their recommendations, i.e., with respect to questions no.13 and 14; and for the rest they only recorded 'nil'. It remains unfathomable as to why would the experts give justification only for two of their recommendations, leaving the rest sans any. It is not a case that the justification had not been asked for each of the recommendations and they recorded it for a few on their own. In fact, the requirement for them to do so was explicit, and a specific column had also been provided for the purpose. It is also not a case that in the experts' view the justification is not called for due to any other relevant fact or circumstance, or that the one already offered in related question(s) would suffice. Resultantly, it was incumbent upon them to give justification for every recommendation of theirs. Even otherwise, this Court is of the view that it is appropriate for the experts to record a justification/reason, howsoever brief, for the recommendation/advice tendered, as it not only enhances worth of the advice but also helps the authorities concerned, including the Courts, to take a view on that while examining their report. It is all the more desirable in public examinations for government jobs where virtually every action of the recruiting agencies, including the validity of questions asked in written tests, comes up for judicial review. The experts in such cases are called upon to give advice in the face of conflicting views about the questions - that of the paper setters, on the one hand, and of the examinees, on the other, supported by relevant material or authoritative sources. In the process of giving recommendations/offering advice, the experts have to resolve the conflict and/or accept one of the views



over the other. All this underscores the need to support their recommendations with reasoning, which is altogether missing in the instant case. Accordingly, the subject experts' report to the extent it gives no justification for the recommendations becomes unacceptable.

7.2. The last submission of learned senior counsel that question which was found out of syllabus should not have been deleted and, instead, grace marks should have been given to the candidates, is without substance. The procedure followed by the Commission in evaluating the remaining fourteen questions carrying total 140 marks and shortlisting the candidates provided they secured thirty-five per cent of 140, is perfectly aligned with stipulations in the advertisements which require the candidates to secure minimum thirty-five per cent marks in the Subject Knowledge Test. There is no mandate that the test cannot be for marks less than 150; nor can it be said that by evaluating the candidates for 140 marks, object of the test has been defeated in any manner. Also, no prejudice can be said to have been caused to the petitioners on account of the decision to evaluate fourteen questions, which were opined to be within the prescribed syllabus by the experts, and consider them for further selection process on that basis. It is not a case that the Commission randomly decided to set question paper for 140 marks instead of 150, as mentioned in the advertisement. There are valid reasons for evaluating all the candidates on the basis of fourteen questions carrying 140 marks, as already discussed. Besides, in case the Commission has decided not to grant grace marks to the candidates and delete the question instead, no objection can be raised against it either. The candidates have no vested right to claim grace marks for the questions found wrong or out of syllabus. It is for the examining



body to take appropriate decision with regard to such a question. And deletion of questions of a test for valid reasons has been well accepted by the Courts.

8. In the light of above discussion, the petition stands disposed of with the following directions:

(a) The Commission will re-send the report to those very experts asking them to give justification for every recommendation they have made.

(b) On receiving the complete report along with justification for every recommendation, the Commission will take a call whether to accept the same or not; and whether the result of Subject Knowledge Test for PGT Computer Science needs revision.

(c) The final selection result shall not be declared till the result of Subject Knowledge Test is finalised as mandated herein above. Needless to add, in case any of the candidates becomes eligible for selection in terms of the revised test result, if any, he/she shall also be so considered.

(TRIBHUVAN DAHIYA)
JUDGE

14.10.2025
Maninder

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