

LPA-1503-2025 (O&M)

2025:PHHC:069684-DB



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

**LPA-1503-2025 (O&M)
Date of Decision: May 19, 2025**

Balraj Singh

.....Appellant

Versus

State of Haryana and others

..... Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Dushyant Rana, Advocate for the appellant.

Mr. Sukhdeep Parmar, Sr. DAG, Haryana.

LISA GILL, J.

CM-3685-LPA-2025

1. Heard.
2. For reasons mentioned in the application as well as arguments addressed, delay of 09 days in filing the appeal is condoned.
3. Application is, accordingly, disposed of.

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1. Prayer in this appeal is for setting aside order dated 21.03.2025 passed by learned Single Bench whereby CWP-2990-2023 filed by present appellant alongwith other writ petitioners has been dismissed.

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2. Present appellant alongwith respondents No. 5 to 16 filed CWP-2990-2023 seeking direction to respondents to revise impugned final answer key and accordingly revise impugned final individual result and to award marks to writ petitioners for one question. They sought revision of final result of Haryana Teachers Eligibility Test (HTET) Exam – 2022. Appellant had competed in HTET Exam – 2022 for level-II i.e. TGT.

3. Grievance raised in the writ petition was that answer sheets of appellant and writ petitioners were not evaluated correctly, thereby causing prejudice to them. Proposed answer key subsequent to written examination, which comprised of multiple choices, was published seeking objections. Present appellant and other writ petitioners raised objections qua question at serial No. 39 of Set-A. Objection raised by them was rejected by Experts which was claimed to be illegal and arbitrary by writ petitioners. Vide order dated 18.12.2024 passed in CWP-2990-2023 direction was issued to Panjab University, Chandigarh to constitute another Committee to look into the grievance raised by writ petitioners in respect to question No. 39 of Set-A. Expert Committee constituted in compliance of order dated 18.12.2024 concurred with view of earlier Expert Committee.

4. Learned Single Bench on considering the facts and circumstances dismissed the writ petition filed by appellant and other writ petitioners. Prayer for constitution of yet another Expert Committee to look into the grievance of petitioners was also dismissed being devoid of any merit. Aggrieved therefrom, present appeal has been filed by appellant – Balraj Singh to the exclusion of twelve (12) other writ petitioners.

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5. Learned counsel for appellant vehemently argues that on the basis of extracts of books from relevant textbooks and material on record, it is apparent that answer to question No. 39 in Set-A, as per answer key is incorrect. Opinion of Expert Committee needs to be ignored as it has approached the issue with pre-determined mind. The Committee constituted pursuant to order dated 18.12.2024 has also not given an independent opinion inasmuch as question should have been sent without any answers to the said Committee whereas questions were sent with answers given by Board, thus, creating bias in the mind of experts of this Committee, therefore, yet another Committee should be constituted. It is, thus, prayed that this appeal be allowed, impugned order dated 21.03.2025 be set aside and CWP-2990-2023 be allowed as prayed for.

6. Learned counsel for State, on advance notice, has controverted the averments on behalf of appellant while submitting that impugned order dated 21.03.2025 has been correctly passed after proper consideration of facts and circumstances.

7. We have heard learned counsel for parties and have gone through the file with their able assistance. However, we do not find any ground whatsoever to cause interference in this matter. Question as sought to be raised is no longer res integra. It is a settled position that interference by Court in such matter has to be minimal. Once objections have been considered by Experts, there is no ground which calls for interference. Hon'ble the Supreme Court in case of **Ran Vijay Singh and others v. State of U.P. and others (2018) 2 SCC 357** has delineated on the controversy while holding that Court shall presume correctness of answer keys and

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proceed on that assumption and in the event of doubt, benefit should go to examination authority rather than the candidate. It was further held as under:-

“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.”

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8. Hon'ble the Supreme Court in **U.P.P.S.C. and others v. Rahul Singh and others, 2018 AIR (Supreme Court) 2861** reiterated that Court should exercise great restraint in such matters and should be reluctant to entertain a plea challenging correctness of answer keys.
9. Learned counsel for appellant is unable to point out any illegality, infirmity and irregularity in impugned order dated 21.03.2025 passed by learned Single Bench which calls for interference by this Court.
10. No other argument has been addressed.
11. Present appeal is, accordingly, dismissed being devoid of any merit.
12. Pending application(s), if any, stand(s) disposed of.

(LISA GILL)
JUDGE

(SUDEEPTI SHARMA)
JUDGE

May 19, 2025
Rts

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No