
(2010) 06 P&H CK 0053

In the Punjab And Haryana At Chandigarh

Case No : Letters Patent Appeal No. 1390 of 2009

Poonam Rani @ Poonam

APPELLANT

Vs

State of Haryana and Another

RESPONDENT

Date of Decision : 29-06-2010

Acts Referred:

Citation : (2010) 06 P&H CK 0053

Hon'ble Judges : Jasbir Singh, J; Augustine George Masih, J

Bench : Division Bench

Advocate : Naresh Kaushik, for the Appellant; Mamta Singla Talwar, AAG
Haryana, for the Respondent

Final Decision : Dismissed

Judgement

Jasbir Singh, J.—Appellant/petitioner was a candidate for the post of a Lecturer in the subject of Hindi. She remained unsuccessful. She filed CWP No. 136 of 2009 with a prayer for issuance of a writ of certiorari to quash the result of 17 selected candidates. She further claimed appointment to her against that post. Her writ petition was dismissed. Hence, this appeal. Before the learned Single Judge, it was contention of the petitioner that as per her brilliant academic career, she has done very well in written examination, however, she was given only 94 marks, in the written examination, which were not in consonance with the attempt made by her. It was specifically alleged that either her answer sheets have been changed or marks obtained have not been calculated correctly. In the written statement filed by the respondents, it was specifically stated that the written test was conducted on 15.4.2007, result for the same was declared on 20.6.2008 and after interview, final result was declared on 15.10.2008. It was further stated that as per rules, answer sheets were destroyed on 25.10.2008. Before the learned Single Judge, it was successfully demonstrated by the respondent-Commission that there was no mala fide in destroying the answer sheets and the same has been done as per rules/resolutions passed by the Commission and also in terms of the judgments of the Hon'ble Supreme Court.

2. It is apparent from the records that the petitioner has not alleged any mala fide against any member of the Commission. Furthermore, none of the selected candidates was impleaded as a party respondent in the writ petition. Taking note of the above said facts, it was held by the learned Single Judge that in such like situation, no relief can be given to the petitioner. Furthermore, merely on the ground of destroying of record, the Court is not supposed to order CBI investigation, especially, when there is no allegation of mala fide against any member of the Commission. We are of the opinion that the order passed is perfectly justified. No case is made out for interference. Dismissed.