
(2015) 07 P&H CK 0370

In the Punjab And Haryana At Chandigarh

Case No : Letters Patent Appeal No. 1119 of 2014 (OandM)

Sukhdeep Singh

APPELLANT

Vs

Punjab State Transmission Corporation Limited and Others

RESPONDENT

Date of Decision : 21-07-2015

Acts Referred:

Citation : (2015) 4 SCT 748

Hon'ble Judges : Satish Kumar Mittal and Harinder Singh Sidhu, JJ.

Bench : Division Bench

Advocate : D.S. Patwalia, Sr. Advocate assisted by Sehajbir Singh, Advocate, for the Appellant; Vikas Chatrath, Advocate, for the Respondent

Final Decision : Dismissed

Judgement

Harinder Singh Sidhu, J.—This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 12.5.2014 passed by the Learned Single Judge, whereby, the writ petition (CWP No. 17180 of 2013) filed by the appellant challenging the revised merit-list for the selection of Assistant Engineers (Electrical), was dismissed. Vide public notice dated 3.8.2012 (Annexure P-1), the respondent - Corporation invited applications for different posts, including 88 posts of Assistant Engineer/Electrical (on training). 37 out of the 88 posts were meant for General Category. The appellant applied for the same and successfully cleared the written test. In the result notified by the respondent - Corporation on the website on 31.10.2012 (Annexure P-3), the appellant was shown at Sr. No. 22 in the merit list with 58.25 marks.

2. Thereafter, on the basis of corrected answer keys, the revised result was uploaded on the website on 27.11.2012 (Annexure P-4), wherein, the appellant was shown at Sr. No. 28 in the merit list. One Harmit Singh Aulakh, one of the aspirants for the post, challenged the revised result by filing CWP No. 25139 of 2012, which was disposed of on 5.7.2013 by the following order:

"The learned counsel appearing for respondents have stated that the grievance

of the petitioner regarding the incorrect answers has been looked into and the plea raised in the petition regarding the inaccuracy in the answer key have been found to be correct, after the experts appointed for the purpose have given their report. Learned counsel for the respondents states that in view of this ambiguity, the result of all the aspirants who took the exam, would have to be re-evaluated.

Insofar as the questions which are capable of having one answer are concerned they would be deleted qua all the aspirants and regarding the remaining, benefits would be given after accepting necessary corrections on the recommendations of the Committee.

This satisfies the learned counsel for the petitioner. He states that in view of what had been stated by learned counsel for the respondents, the instant petition has been rendered infructuous.

The writ petition is, thus, disposed of having become infructuous but with a direction to respondents to conclude the exercise of re-evaluating the entire result after making the necessary corrections therein within a period of two weeks from today."

Consequently, the result of all the aspirants was reevaluated and result dated 18.7.2013 (Annexure P-8) was prepared, wherein, the appellant has been shown at Sr. No. 47 having secured 57.50 marks, which was challenged by filing CWP No. 17180 of 2013.

3. The Learned Single Judge rejected the challenge of the appellant for the reason that the experts had already looked into the answer keys in question and have given their reports.

4. Learned counsel for the appellant, by referring to certain books/study material, has contended that the answers to questions No. 53 and 96, as attempted by the appellant, are correct and the same have been wrongly rejected by the respondents and the experts.

5. In CWP No. 25139 of 2012 (the decision of which has been quoted above) the petitioner therein had challenged the answer keys, upon which the revised result (Annexure P-4) was prepared. Thereupon, experts were appointed, who re-examined the questions and gave their report and it is this report, based upon which, the third merit list (Annexure P-8) has been prepared, wherein, the appellant has been shown at Sr. No. 47. In considered opinion of this Court, there is no ground to interfere with the decision of the Learned Single Judge. Since the answer keys have been looked into by the experts consequent upon the directions of this Court, the issue of wrong answer keys needs to set at rest.

Hence, there is no merit in the appeal and the same is hereby dismissed.