ITEM NO.65   COURT NO.7   SECTION IVB

S U P R E M E   C O U R T   O F   I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).9366-9367/2015

(Arising out of impugned final judgment and order dated 20/02/2015
in CWP No. 2097/2015 & CWP No. 1895/2015 passed by the High Court
of Punjab & Haryana at Chandigarh)

DEEPAK SAINI AND ORS., ETC.   Petitioner(s)

VERSUS

STATE OF HARYANA AND ORS.   Respondent(s)

(with appln. (s) for application for transposition and impleadment
and impleadment as petitioner and intervention)

WITH
SLP(C) No. 9140/2015
(With Interim Relief and Office Report)

 SLP(C) No. 11658/2015
(With appln.(s) for exemption from filing c/c of the impugned
judgment and Interim Relief and Office Report)

 SLP(C) No. 11425/2015
(With Interim Relief and Office Report)

Date : 01/05/2015 These petitions were called on for hearing today.

CORAM :
        HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA
        HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s)   Mr. Ankit Goel,Adv.
                     Mr. Sanjay Kr. Yadav,Adv.
                     Mr. Ram Naresh Yadav,Adv.

                     Mr. Siddharth Mittal,Adv.
                     Mr. Anupam Yadav,Adv.
                     Mr. S. K. Sabharwal,Adv.

                     Mr. R.K. Kapoor,Adv.
                     Ms. Rekha Giri,Adv.
                     Ms. Shweta Kapoor,Adv.
                     Ms. Kheyali Sarkar,Adv.

1

Mr. Ram Vijay,Adv.
Mr. Anis Ahmed Khan,Adv.

Mr. Ankit Goel,Adv.
Dr. Kailash Chand,Adv.

For Respondent(s)   Mr. Nidhesh Gupta,Sr.Adv.
Mr. Rahul Gupta,Adv.

Mr. P. N. Puri,Adv.
Mr. Abhishek Puri,Adv.
Mrs. Reeta Dewan Puri,Adv.

Mr. Pritpal Singh Nijjar,Adv.
Ms. Ambika Nijjar,Adv.
Mr. A. Venayagam Balan,Adv.

Mr. Shekhar Raj Sharma,Adv.
Mr. Sanjay Visen,Adv.

UPON hearing the counsel the Court made the following
O R D E R

I.A. Nos.7 & 8 in SLP(C) No.9367/2015 and I.A. Nos. 9, 10-11, 12-13 and 14-15 in SLP(C) Nos.9366-9367/2015 are allowed.

Heard Mr. Nidhesh Gupta, learned senior counsel appearing for the Punjab and Haryana High Court. He pointed out that in respect of various questions with reference to which the petitioners, in SLP (C) Nos.9366-67/2015, raised grievances, the action of the High Court in deleting Question Nos.30, 38 and 60 in Category-I was correct.   Similarly, according to him mentioning of the correct answers to Question Nos.72, 77 & 90 in Category-II, was also correctly done in the key answers.   Learned senior counsel, however, fairly stated that in respect of question No.20 in Category-III though initially the correct answer was noted as option 'c' in the key answers, it was corrected wrongly as option 'd' and, therefore, the High Court decided to award full marks to all those candidates who have marked option 'c' as the correct answer and the marks awarded to those candidates who marked option 'd' will now be awarded only negative marks.

So far as the grievance expressed in SLP (C) No.9140/2015 is concerned, Mr. Nidhesh Gupta, learned senior counsel appearing for the High Court, took us through the disputed questions and

2

demonstrated how the questions framed were in order and, therefore, the same does not call for interference.

In the light of the said submission, made on behalf of the High Court with which we are fully convinced, we are not inclined to interfere with the orders impugned except to the extent that, as undertaken before us, the High Court shall grant full marks to all those candidates who attempted question No.20 in Category-III and similar such attempt made by the candidates in other papers for the said question who have answered option 'c' as the correct answer, be awarded full marks.

Consequently, because of the mistake in the key answer if marks had been awarded to any candidate for having opted 'd' as the correct answer, the same shall be treated as cancelled and appropriate negative marks shall be awarded to those candidates. Based on the said exercise, the revised tabulation shall be effected and issued forthwith for the purpose of enabling the successful candidates to appear in the written examinations on the scheduled date i.e. 8.5.2015.

With the above directions, all these special leave petitions stand disposed of.

(NARENDRA PRASAD)   (SHARDA KAPOOR)
   COURT MASTER   COURT MASTER