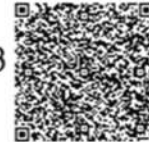




IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2025:PHHC:069802-DB



CWP-14104-2025 (O&M)

Date of Decision: 23.05.2025

Shifali Verma and others

....Petitioners

V/s

Panjab University, Chandigarh and another

....Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUMEET GOEL**

Present: Mr. Praveen Chauhan, Advocate for the petitioners.

Mr. Akshay Kumar Goel, Advocate for the respondents.

SUMEET GOEL, JUDGE

1. The civil writ petition in hand has been preferred under Articles 226/227 of the Constitution of India praying, in essence, for quashing of the entrance examination conducted by the respondent-University (hereinafter referred to as '*entrance examination in question*') for the 5 years Integrated Course for B.A/B.COM. LL.B (Hons.)-(hereinafter referred to as '*course in question*') held on 27.04.2025 & consequential direction(s) for re-conducting it.

2. Shorn of non-essential details, the relevant factual milieu of the *lis* in hand reads, thus:

(i) The respondent-University invited applications for the seats available for the 5 years Integrated Course for B.A/B.COM. LL.B (Hons.)



Test-2025 held on 27.04.2025. The relevant part of the information brochure-cum-prospectus thereof, reads thus:

“6. GENERAL RULES FOR THE ENTRANCE TEST

xxx xxx xxx

6.3 The entrance test shall be based on ‘Legal and General Awareness’ as per the details given below:

ENTRANCE TEST SCHEME

PAPER: LEGAL AND GENERAL AWARENESS

Number of Questions	Marks allotted to each question	Marks deducted for each wrong answer	Total Marks for the paper	Duration of the Paper
100	1	¼	100	90 mins

Important Note: There shall be negative marking for wrong answers and for every wrong answer, ¼ mark shall be deducted.

6.4 Out of these 100 questions, 60 questions will be based on Testing General Knowledge and Current Affairs, 20 Aptitude for Law, 10 Testing Mental Ability and rest of the 10 questions testing English Language. The question paper will be available in English, Hindi and Punjabi (except for the portion “proficiency in English Language”).

xxx xxx xxx xxx

14. On 02.05.2025 (Friday), the Question papers and Answer keys will be put on the University website <http://exams.puchd.ac.in/show-noticeboard.php>. The candidates can file their objections regarding discrepancies and accuracy of the Key by e-mail to arcet@pu.ac.in latest by 04.05.2025 (Sunday). Objections received will be published on the website and cross objections will also be invited within a certain timeframe as mentioned in the schedule for entrance test at Page 73-74. The valid concerns thus expressed will be given due consideration while evaluation.

(hereinafter referred to as ‘Clause 6.3, Clause 6.4 and Clause 14’, respectively.)”

(ii) The petitioners applied and thereafter appeared in the entrance examination in question at different centers. The petitioners, being aggrieved of the entrance examination in question, have entreated this Court for quashing of the said examination.



It is in the above factual backdrop that the writ petition in hand came up for final adjudication before this Court.

Rival Submissions

3. Learned counsel for the petitioners has urged that the questions in the *entrance examination in question*, though objective type in nature, were hard and tough ones, especially in view of the fact that the candidates appearing therein were required to have 10+2 class qualification only, so as to be able to appear in the said exam. Learned counsel has iterated that questions posed were of LL.M/Post Graduate level and hence were uncalled for being included in the question paper.

Learned counsel for the petitioner has urged that out of the total 100 objective type questions in the question paper, there was a clear demarcation in the brochure/prospectus of the *entrance examination in question* that 60 questions will be based on testing of the General Knowledge and Current Affairs, 20 for Aptitude for Law, 10 for testing the Mental Ability and the remaining 10 were to be based for testing the English Language of the candidate. Basing this argument on *Clause 6.4*, the learned counsel has iterated that the question paper of the *entrance examination in question* reflects that the said classification has been breached and, therefore, *entrance examination in question* is liable to be quashed, being beyond the mandate of prospectus/brochure.

On the strength of these submissions, grant of the civil writ petition in hand is entreated for.

4. On the strength of advance notice; the respondents entered appearance through counsel.



Learned counsel appearing for the respondents has argued that the question paper of the *entrance examination in question* has been prepared by the expert(s) as per the required norms, including stipulation(s) contained in the brochure and there was no error therein. Learned counsel has further urged that the *entrance examination in question* is competitive in nature and, hence, even if the same be construed as a tough one, it applies to one and all, with uniformity. Learned counsel has further implored that a large number of candidates, running into thousands, had appeared for *entrance examination in question* and result thereof also stands declared on 15.05.2025 &, thus, the quashing of the *entrance examination in question*, at this stage, would be manifestly unjust.

On the strength of these submissions, dismissal of the writ petition in hand is claimed for.

5. We have heard learned counsel for the rival parties and have perused the paper-book.

Prime issue

6. The prime issue that arises for cogitation in the writ petition in hand is as to whether the *entrance examination in question* deserves to be quashed and the respondent-University ought to be directed to re-conduct the entrance examination for the *course in question*.

Analysis

7. *Clause 6.4 of the prospectus in question* explicates upon the nature and inter-se distribution of questions pertaining to various topics/fields/requirements viz.; General Knowledge and Current Affairs, Aptitude for Law, Mental Ability and proficiency in the English Language. The question paper of the *entrance examination in question* indubitably reflects that 100 questions were posed in the examination. However, there is



neither any fixed requirement indicated in the brochure/prospectus nor it is apparent from the question paper of *entrance examination in question* that there was to be a mandatory classification of the question paper into different parts pertaining to the topics/fields. Further, there is no gain-saying that a particular question may overlap between two or more of the aforementioned different topics/fields. Neither has it been pointed out before this Court, by the petitioner-side, nor it is otherwise fathomable, that there exists any such objective criteria, on basis whereof, this Court may delve into every question put in the *entrance examination in question* so as to attain a rationale based decision regarding a particular question to be irrefutably included in only one of these different topics/fields and whether the question paper, in any manner, breached the *Clause 6.3* or *Clause 6.4*. The Writ Court cannot, ordinarily, sift through the minutiae of every question to critically determine its scope, domain and productiveness in assessing a candidate's potential and capabilities. *Ergo*, this Court, in its writ jurisdiction, does not deem it appropriate to sit over the issue of distribution/formulation of questions which, but of course, are prepared by the expert(s), unless it is laced with manifest arbitrariness, *malafide*, capriciousness or illegality.

The Hon'ble Supreme Court in a judgment titled as ***Maharashtra State Board of Secondary and Higher Secondary Education and another Vs. Paritosh Bhupesh Kurmarsheth etc.***, reported as ***1984 AIR Supreme Court 1543***, has held as under:

“xxxxxx As has been repeatedly pointed out by this court, the Court should be extremely reluctant to substitute its own views as to what is wise, prudent and proper in relation to academic matters in preference to those formulated by professional men possessing technical expertise and rich experience of actual day-to-day working



of educational institutions and the departments controlling them. It will be wholly wrong for the court to make a pedantic and purely idealistic approach to the problems of this nature, isolated from the actual realities and grass root problems involved in the working of the system and unmindful of the consequences which would emanate if a purely idealistic view as opposed to a pragmatic one were to be propounded xxxxx.”

Reiterating the *ratio decidendi* in the case of **Paritosh Bhupesh Kurmarsheth** (supra); the Hon’ble Supreme Court in the case of **Sanchit Bansal and another Vs. Joint Admission Board (JAB) and others**, reported as **2012 AIR Supreme Court 214**, has enunciated thus:

“Thus, the process of evaluation, the process of ranking and selection of candidates for admission with reference to their performance, the process of achieving the objective of selecting candidates who will be better equipped to suit the specialized courses, are all technical matters in academic field and courts will not interfere in such processes. Courts will interfere only if they find all or any of the following : (i) violation of any enactment, statutory Rules and Regulations; (ii) mala fides or ulterior motives to assist or enable private gain to someone or cause prejudice to anyone; or where the procedure adopted is arbitrary and capricious. An action is said to be arbitrary and capricious, where a person, in particular, a person in authority does any action based on individual discretion by ignoring prescribed rules, procedure or law and the action or decision is founded on prejudice or preference rather than reason or fact. To be termed as arbitrary and capricious, the action must be illogical and whimsical, something without any reasonable explanation. When an action or procedure seeks to achieve a specific objective in furtherance of education in a bona fide manner, by adopting a process which is uniform and non-discriminatory, it cannot be described as arbitrary or capricious or mala fide.”

At this juncture, it would be germane to notice that the writ petition in hand does not lay challenge to the veracity of the answers, as put



up by the respondent-University in its answer-key. This aspect apart, remedy in such an eventuality lies in *Clause 14*, which has not been resorted to at the end of the petitioners.

Ergo, this aspect of the argument(s) raised by the petitioner-side deserves rejection.

8. The stand of the petitioners that the questions were *hard* or *tough* is ‘*neither here nor there*’. There can be no lucid and objective criteria fathomable to determine as to whether a particular question is *hard* or *tough* as a particular question may be tough for a particular candidate, but concurrently it may be an *easy one* for another candidate. Examinations are formidable and challenging, even for the best prepared candidates. The existential crisis of the Prince of Denmark, in William Shakespeare’s *Hamlet* (Act 3, Scene 1), is a dilemma that every candidate experiences, *before and after*, an exam/result thereof, quoted thus:

“*To be, or not to be, that is the question:
Whether ‘tis nobler in the mind to suffer;
The slings and arrows of outrageous fortune,
Or to take arms against a sea of troubles
And by opposing end them.*”

The above quoted quandary is a natural, instinctive and fervent response to any examination and its result, for every candidate, who has appeared in such an examination; it is nearly impossible to find satisfaction in this process. Shakespeare, in *Hamlet* itself, pondered on the self-same question of,

‘*Is a man ever satisfied?*’

yet could not reach a resolution or a viable answer. The only straightforward answer herein would be mobius loop in itself *nay* an endless one.



9. A competitive exam, by its indicative name, is meant to test the skill, knowledge, preparedness, perspectives and general tendencies, within a pool of examinees; towards a particular goal for the successful ones. However, institutions have to lay out a mechanism to assess the candidates, and competitive examinations are the most pragmatic, equitable apparatuses for this purpose, wherein all candidates have the same time limit, as well as, the same number of questions to attempt. Even if it was to be granted that a certain degree of leaning towards certain topics is visible in exam questions, it may only point towards the notional subjectivity of the experts of the domain. No foolproof blueprint can ever be prepared to test capacities and skills of a large pool of examinees, comprehensively and objectively, since each candidate has their own uniqueness. A competitive exam is invariably comparative, relative and approximate, in essence. Any exacting or complicated question or even the entire pattern of examination, bears an equal advantage or disadvantage for one and all, unless, it can be proven that a singular person or a determinable group of persons only were subjected to a gross disadvantage, deliberately and intently. To put it differently; *assuming arguendo*, some questions were tough or hard, yet since the *entrance examination in question* is a competitive exam and all candidates were subject to same rigour and are sought to be tested on the same anvil i.e. the same set of questions, the plea(s) put forth by the petitioners merits rejection.

10. This Court cannot lose sight of the fact that thousands of students have appeared in the *entrance examination in question* and result thereof stands declared. The plea(s) of the petitioners, when examined on the anvil of equity, ought to be rejected on this score as well. The effusive clarion call made by the petitioners, by way of writ petition in hand, is



quintessentially promulgated for sympathy and commiseration, which indubitably cannot be answered in affirmative by this Court and, thus, deserves rejection *albeit* with this Court extending to the petitioners its best wishes for advancement and fruition in their future endeavour(s).

Decision

11. In view of the prevenient ratiocination, the writ petition in hand is dismissed. Pending application(s), if any, shall also stands disposed of.
No order as to costs.

(SUMEET GOEL)
JUDGE

(SHEEL NAGU)
CHIEF JUSTICE

May 23, 2025
Naveen

Whether speaking/reasoned:	Yes
Whether reportable:	Yes