
(2019) 03 CHH CK 0013
In the Chhattisgarh High Court
Case No : Writ Petition (C) No. 695 Of 2019

Abdul Moin Khan	Vs	APPELLANT
State Of Chhattisgarh And Ors		RESPONDENT

Date of Decision : 01-03-2019

Acts Referred:

Citation : (2019) 03 CHH CK 0013

Hon'ble Judges : Prashant Kumar Mishra, J

Bench : Single Bench

Advocate : Abdul Wahab Khan, Rajesh Singh, Sudeep Agrawal

Final Decision : Disposed Of

Judgement

Prashant Kumar Mishra, J

1. Petitioner appeared in the supplementary examination of B.Sc. Part I wherein he secured 29 marks in the theory paper. Thus, he was declared fail in that paper as he failed to secure minimum 33 marks. In the meanwhile, petitioner was admitted in B.Sc. Part II course and has attended the class throughout the year.
2. Learned counsel for the University would oppose the petition.
3. Petitioner has submitted one document, which is a communication emanating from the HoD (Head of the Department) of the concerned subject in CMD PG College, Bilaspur. The HoD has examined the answer sheet of the petitioner, which he had procured under the Right to Information Act, 2005. The HoD has recommended that the petitioner should get 4½ marks more than what is awarded to him.
4. Let the petitioner move a representation along with copy of the letter dated 4-2-2019 before the respondent University within a period of 3 (three) days from today. The University shall, thereafter, consider and decide the representation of the petitioner within a week so that one precious year of the petitioner is not wasted as he had already been admitted and attended the course of B.Sc. Part II.

5. In the meanwhile, the petitioner shall be provisionally allowed to appear in the B.Sc. Part II examination, which shall remain subject to decision taken by the University on petitioner's representation.

6. Accordingly, the writ petition stands disposed of.