

(2008) 04 AHC CK 0272
In the Allahabad High Court

Arjun Singh represented through his mother Smt. Rani Kumari

APPELLANT

Vs

Madhyamik Shiksha Parishad, Kshetriya Karyalaya
Madhyamik Shiksha Parishad and Rani Avanti Bai Adarsh
Inter College

RESPONDENT

Date of Decision : 16-04-2008

Acts Referred:

Citation : (2008) 5 AWC 5293

Hon'ble Judges : Rakesh Tiwari, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Rakesh Tiwari, J.—Heard learned Counsel for the parties.

2. Pursuant to the order dated 23.1.2008, learned Standing Counsel has produced the copies of Chemistry Ist paper and IInd paper.

3. The petitioner has appeared in the Intermediate Examination 2007 conducted by respondent Nos. 1 and 2 as regular student from respondent No. 3 college with the subject General Hindi, Physics, Chemistry, English, Biology, Sports & Physical Education. The roll number of the petitioner in the aforesaid intermediate examination is 148040. In the aforesaid examination petitioner appeared in all papers and he solved almost all the question in the first and second papers of Chemistry and to his best knowledge he should have obtained at least 20 marks out of 35 in each paper of Chemistry.

4. It is stated that when the result was declared, petitioner was surprised to know that he got only 6 and 8 marks in Ist and IInd paper of Chemistry respectively and, therefore, he was got only 14 marks in total and consequently declared failed in the aforesaid examination.

5. According to the Rules for providing grace marks, the candidate has to obtained 25% marks in each of the papers of the subject. The rule regarding

grant of grace marks is as under:

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A, B ,oa C

F-1

F-2

164 rd

148 rd

181

398 rd

165 ;k mlls vf/kd

149 ;k mlls vf/kd

182 ;k mlls vf/kd

399 ;k mlls vf/kd

nks fo"k;ksa esa vuqRrh.kZ gksus ij vf/kdre 08 vad rs d`ikad ns; gS A dsoy fyf[kr ijh{kk okys fo"k;ks esa d`ikad gsrq U;wure 25 izfr"kr vad izkIr djuk vfuok;Z gS A fyf[kr ,oa iz;ksxkRed nksusk [k.M+ks okys fo"k;sk esa d`ikad gsrq nksusk [k.Mksa es i`Fkd&i`Fkd 25 izfr"kr vad izkIr djuk vfuok;Z gS fdUrq d`ikad fdlh ,d [k.M esa vuqRrh.kZ gksus ij gh ns; gksxk A fyf[kr ,oa iz;ksxkRed nksuks [k.M+ks esa vuqRrh.kZ gksus ij dksbZ d`ikad ns; ugh gksxk A dksbZ ijh{kkFkhZ ;fn fdlh ,d fo"k; ds lHkh iz"ui=ks ?dsoy fyf[kr ijh{kk? esa vFkok mlh fo"k; ds dsoy iz;ksxkRed [k.M esa vuqifLFkr gS rks Hkh mls dksbZ d`ikad ns; ugh gksxk A

6. The petitioner has failed in Chemistry as he has obtained six marks in chemistry Ist paper and 8 marks in chemistry II papers.

7. The petitioner has not obtained 25 % marks each in the theory papers and practical separately. According he is not entitled to grace marks.

8. The writ petition is accordingly dismissed.