
(2011) 03 KL CK 0159
In the High Court Of Kerala
Case No : W.A. No. 382 of 2011

Arun Babu and Others

APPELLANT

Vs

University of Calicut

RESPONDENT

Date of Decision : 22-03-2011

Acts Referred:

Citation : (2011) 03 KL CK 0159

Hon'ble Judges : Jasti Chelameswar, C.J;Antony Dominic, J

Bench : Division Bench

Advocate : V.T. Raghunath, for the Appellant; No Appearance, for the Respondent

Final Decision : Dismissed

Judgement

J. Chelameswar, C.J.—Aggrieved by judgment dated 16th March, 2011 in W.P. (C) No. 7057 of 2011 the unsuccessful Petitioners 23 in number preferred the instant writ appeal.

2. All the Appellants are students for Bachelor of Pharmacy course in the Respondent University. When the results of the second year examination of the course were published all the Appellants herein failed. Therefore, they sought for revaluation of the answer sheets which the Appellants assert that they are entitled as a matter of right. We do not propose to go into the issue whether such entitlement exists, but only take note of the fact that such applications are pending. In the meanwhile, the final year examination is notified to take place from 25.3.2011. Admittedly, the Rules of the Respondent University do not permit a candidate who failed in the second year examination to appear for the final year examination. Therefore, the writ petition with various alternative prayers extracted in the judgment under appeal.

3. A learned Judge of this Court dismissed the writ petition relying upon an earlier Division Bench decision of this Court reported in Macdeen David v. University of Calicut 2008 (2) KLT SN 39 .

4. In substance, the Appellants prayed that the entire academic programmed of the Respondent University should be adjusted to suit their convenience. We are afraid that such a prayer cannot be granted by this Court. The learned Judge rightly dismissed the writ petition. We see no reason to interfere with the judgment under appeal and the writ appeal is dismissed.

5. The learned Counsel for the Appellants in the alternative prayed that the Respondent University may be directed to expedite the revaluation of their answer sheets.

6. Heard Sri. P.C. Sasidharan, the learned Standing Counsel for the Respondent University. The learned Standing Counsel prays that the University be given a period of ten weeks to complete the revaluation of the answer papers of the Appellants. We, therefore, grant the Respondent University ten weeks time for revaluation of the answer papers of the Appellants.