
(2018) 09 CHH CK 0407
In the Chhattisgarh High Court
Case No : Writ Petition (C) No. 879 Of 2017

Ku. Ankita Rathore	Vs	APPELLANT
Bilaspur University And Ors		RESPONDENT

Date of Decision : 26-09-2018

Acts Referred:

Citation : (2018) 09 CHH CK 0407

Hon'ble Judges : Prashant Kumar Mishra, J

Bench : Single Bench

Advocate : Punit Ruparel, Neeraj Choubey, Rajendra Tripathi

Final Decision : Dismissed

Judgement

Prashant Kumar Mishra, J

1. Petitioner appeared in the M.Sc. Previous (Physics) Examination conducted in March-April 2016. She secured 33 out of 100 marks in the said

subject, therefore, she applied for revaluation, in which she secured 37 out of 100. However, the second valuer allowed her 33 out of 100 marks,

therefore, the change being less than 10% of the total marks, the petitioner was informed that there is no change in the marks obtained by her in view

of the Ordinance No.6 of the University.

2. Referring to the answer sheet (Annexure-P-4), it is argued that the same does not contain any allotment of marks against the questions attempted

by the petitioner, therefore, it appears, she has been allotted marks without valuation.

3. Having seen the answer sheet, I am satisfied that the answer sheet has been valued, as just after the completion of the answer to each of the

attempted question, the answer has been pasted by using a sticker, which is the

normal procedure when an answer sheet is sent for revaluation so that the new valuer is not aware as to what marks were allotted by the previous valuer and the re-valuer applies his mind independently without being influenced by the earlier allotment of marks.

4. The petitioner would now contend that she is entitled for grace marks so that one precious year of her career is saved. To this argument, Shri

Choubey, learned counsel for the University, would submit that under the rules of the University applicable to the subject exam, the grace mark is

permissible in the final year examination and not in the previous year examination of the Post Graduate Exam. Since the petitioner has appeared in

M.Sc. Previous (Physics), she is not entitled to be awarded any grace mark under the rules of the University.

5. It is settled law that writ Court should not ordinarily interfere with the decision taken by the academic institutions in the matter of conduct of

examination and valuation of answer sheets. If the petitioner is not entitled for any grace mark under the rules of the University, such marks cannot be

allowed by the writ Court on pure sympathy.

6. The writ petition has no substance. It fails and is hereby dismissed.