

(2009) 03 AHC CK 0079

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 6250 of 2009

Manoj Kumar

APPELLANT

Vs

State of U.P. Through Secretary (Higher Education) U.P. at
Lucknow and others

RESPONDENT

Date of Decision : 04-03-2009

Acts Referred:

Citation : (2009) 03 AHC CK 0079

Hon'ble Judges : S.P. Mehrotra, J

Final Decision : Dismissed

Judgement

S.P. Mehrotra, J.—The petitioner has filed the present writ petition under Article 226 of the Constitution of India, inter alia, praying for issuance of writ of mandamus, directing the respondent No. 3 to declare the result of the petitioner in respect of B.Ed. Course for the Session 200607.

2. It is averred in the writ petition that the petitioner appeared in all the papers of the B.Ed. Examination held from 25.7.2007 to 3.8.2007; and that the result of the said examination was declared on 25.8.2007. However, the result of the petitioner was not declared. The petitioner repeatedly approached the concerned authorities, but nothing was done in the matter.

3. In the circumstances, the petitioner has filed the present writ petition, inter alia, seeking the relief, mentioned above.

4. A short Counter Affidavit has been filed on behalf of the respondent Nos. 2 and 3 along with an application.

5. The Registry is directed to give appropriate number to the said application.

6. It is, inter alia, stated in the said short Counter Affidavit that the result of the petitioner for the Academic Session 200607 was kept under sealed cover as an enquiry was going on. It is further stated that the Enquiry Committee has submitted its report, and the University has decided to declare the result of the

petitioner; and that accordingly, the marksheet of the petitioner has been prepared and issued to the petitioner. A photostat copy of the said marksheet has been filed as Annexure CAI to the said short Counter Affidavit.

7. A perusal of the marksheet shows that the petitioner has passed the said examination.

8. Sri V.K. Upadhyay, learned Counsel for the petitioner states that in view of the fact that the result of the petitioner has been declared by the University, the present writ petition has become infructuous.

9. In view of above, the writ petition is dismissed as having become infructuous.