

(1998) 09 AHC CK 0005
In the Allahabad High Court
Case No : Writ Petition No. 1942 of 1998

Mobeen Ahmad Ansari

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 03-09-1998

Acts Referred:

Citation : (1999) 1 UPLBEC 603

Hon'ble Judges : S.H.A. Raza, J

Bench : Single Bench

Advocate : Ashok Kumar Balediha, for the Appellant;

Judgement

S.H.A. Raza, J.—The petitioner Mobeen Ahmad Ansari possesses a brilliant academic record. In the High School Examination for the year 1996 he secured 420 marks out of 600 meaning thereby that he obtained distinction in three subjects, i.e. Hindi, Mathematics and Science and secured First Division Marks in English and Biology. He appeared in Intermediate Examination for the year 1998 with Roll No. 0860469. He secured distinction marks in General Hindi and Chemistry and above first class marks in Physics. His grievance appears to be is that he secured 28 Marks in Physics I paper, 35 marks in Physics III paper and 29 marks in practical but he got only 7 marks in Physical II paper. It was submitted that he answered all the question in the Physics II paper correctly but may be due to miscalculation or any other mistake he was awarded only 7 marks in Physics II paper, although even in Intermediate Examination he was declared First Division, but he has asserted that award of 7 marks in Physics II paper has lowered his merit. In that regard the petitioner has submitted an application before the Secretary, Board of High School & Intermediate Education, Allahabad on 9-7- 1998. His grievance is that his application was not properly considered.

2. It is a matter of great concern that in the recent years there is consideration influx of such writ-petitions in this Court has increased. Earlier the Board of High School and Intermediate Education had inspired so much confidence that seldom writ-petition were filed. Filing of writ-petition on such a large scale before this

Court indicate that there is considerable dissatisfaction among the students and their parents which requires introspection by the Board authorities as well. Although this Court seldom interfere in the revaluation of the marks. The Board also does not have any rule for revaluation of the marks, but with a view to have greater accountability and transparency there is a need for framing some certain rules to rectify the error, mistakes or defection calculation of the marks.

3. In view of the above facts and circumstances of the case I direct the Secretary Board of High School & Intermediate Education to consider the application of the petitioner forthwith and pass appropriate orders expeditiously says within a period of one month from the date of production of a copy of this order and if ultimately it is found that there was some mistake in award of the marks, that would be corrected.

4. The writ petition is disposed of accordingly.