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**(2008) 09 RAJ CK 0091**  
**In the Rajasthan High Court**

Prena Gupta

APPELLANT

Vs

The Central Board of Secondary Education and Others

RESPONDENT

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**Date of Decision :** 08-09-2008

**Acts Referred:**

Constitution of India, 1950 — Article 226

**Citation :** (2008) 4 RLW 3655

**Hon'ble Judges :** Gopal Krishan Vyas, J

**Bench :** Single Bench

**Final Decision :** Dismissed

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## Judgement

Gopal Krishan Vyas, J.—Heard learned Counsel for the parties.

2. In this case, the petitioner has prayed for following reliefs:

(i) the respondents may kindly be directed to make available all the information to the petitioner as mentioned in the application (An-nex.4) at the earliest.

(ii) the respondents may further be directed to make available her answer-sheets to the petitioner for inspection.

3. With regard to prayer No. 1, it is submitted by learned Counsel for the respondents that the application filed by the petitioner to make available all the information to the petitioner as mentioned in application Annexure-4 has already been decided vide order dated 25.7.2008.

4. With regard to second prayer, it is submitted that the contention of the petitioner in this regard is that the respondents may be directed to make available her answer-sheets for inspection.

5. Learned Counsel for the respondents while inviting attention of this Court towards the statutory provisions submits that as per Rule 61(iv) of CBSE Examination Bye-laws whereby it is specifically provided that no candidate shall claim, or be entitled to revaluation of his/her answers or disclosure or inspection

of the answer book(s) or other documents.

6. Therefore, the prayer of the petitioner cannot be granted while exercising power under Article 226 of the Constitution of India. Learned Counsel for the respondents has invited the attention of this Court towards the judgment rendered by Hon"ble Apex Court in case of Maharashtra State Board of Secondary and Higher Secondary Education and Another Vs. Paritosh Bhupeshkumar Sheth and Others, in which Hon"ble Apex Court has held that no such Inspection can be allowed in view of the statutory provision of law.

7. In this view of the matter, there is no force in this writ petition. Accordingly, the same is dismissed.