
(2019) 08 RAJ CK 0323
In the Rajasthan High Court
Case No : Civil Writ Petition No. 6224 Of 2019

Renu Bala

APPELLANT

Vs

Maharaja Ganga Singh University, Jaisalmer Road And Ors

RESPONDENT

Date of Decision : 19-08-2019

Acts Referred:

Citation : (2019) 08 RAJ CK 0323

Hon'ble Judges : Dinesh Mehta, J

Bench : Single Bench

Advocate : Himmat Jagga

Final Decision : Dismissed

Judgement

By way of the present writ petition, the petitioner has called in question the communication dated 07.03.2019, issued by the respondent University, rejecting petitioner's representation, in furtherance of the representation given by her.

The facts in brief are that the petitioner appeared in Ist Year Bachelor of Education (B.Ed.) in the academic session 2013-14, but her result was not declared by the respondent University.

According to the petitioner, when she enquired about the reason for which her result was withheld, it was informed that her result had been withheld as she failed to deposit the enrollment fee. On receiving such reply in the year 2018, the petitioner, approached this Court by way of filing the writ petition being S.B. Civil Writ Petition No.325/2019. The said writ petition was however withdrawn, with a liberty to raise her grievance by way of filing a representation.

In terms of the liberty granted, the petitioner approached the respondent University by way of representation dated - Nil. The said representation filed by the petitioner has been rejected by the respondent University, vide communication dated 07.03.2019, interalia, observing that since, she was not enrolled with the University, her result was not declared, though the same was

lying with the University. The petitioner's request for re-evaluation of her answer-book was turned down by the University stating inter alia that the answer-scripts have been weeded out and request to appear as Ex-student was rejected as she was not entitled to appear as an Ex-student, after 5 years of failing in the examination.

Mr. Himmat Jagga, learned counsel for the petitioner, challenging the action of the respondent University, particularly the communication dated 07.03.2019, argued that the petitioner has deposited the requisite enrollment fee. The deficiency pointed out by the University stood complied with and the petitioner's result has been declared by the respondent University, according to which, she has been declared 'fail'.

According to learned counsel, the petitioner should get a chance to get her answer-script reevaluated in accordance with the Rules and the period of making application for re-evaluation should be reckoned from the date, when her result was ultimately declared. On the same principle, it was argued that petitioner should be permitted to appear in the ensuing examination as an Ex-student.

Having heard learned counsel for the petitioner and considered the material available on record, this Court is of the considered opinion that the petitioner is not entitled to any relief, much less equitable relief. The petitioner having appeared in examination of 2013-14, has ignored/omitted to deposit even her enrollment fee, which has led to withholding of her result. The same was however deposited on 04.12.2018, after about 5 years. Her result was ultimately declared by the respondent University in 2019.

The students like the petitioner, who remain in slumber for years together, cannot get equitable relief. No direction to re-evaluate her answer-books can be issued, nor can she be allowed to appear in examinations as Ex-student.

Indisputably, the old course of B.Ed. - 1 year has since been done away with and now the B.Ed. Course is of two years; the petitioner's result had been declared about 5 years ago. Hence, the respondent University can neither be directed to re-examine her answer-script nor it can be compelled to permit the petitioner to appear as an Ex-student.

No reason worth the name has been stated for such lackadaisical approach.

This Court does not find any merit in the present writ petition, for which it is dismissed.

The Stay Petition No.6131/2019 also stands dismissed.