
(1983) 09 AHC CK 0041
In the Allahabad High Court
Case No : Writ Petition No. 1058 of 1981

Shailendra Pratap Singh

APPELLANT

Vs

Board of High School & Intermediate Education & Others

RESPONDENT

Date of Decision : 26-09-1983

Acts Referred:

Citation : (1983) 09 AHC CK 0041

Hon'ble Judges : U.C.Srivastava, J and K.N.Goyal, J

Final Decision : Allowed

Judgement

1. The only ground on which the petitioner's result has been cancelled is that in "Samanya Ganit" 1st Paper, the examiner suspected that the candidate had copied the answers to questions 8(a) and 5(a). The relevant record has been produced before us by the learned Standing Counsel.

2. So far as the question 8(a) is concerned, the only ground for suspicion is that the Petitioner had not shown as to how 5075 divided by 29 worked out to 175. The rough working of the division involved is not required necessarily to be shown in the answer book. It is not a case in which some additional slip was needed and that steps was arising (sic). Thus, the ground of suspicion is wholly unreasonable. The other ground is with reference to question 5(a). The so-called mistake in one of the steps consists only of a slip that the petitioner seems to have committed, inasmuch as he wrote the figure "T instead of figure "17". This type of slip is always possible and need not necessarily be taken to be evidence of dishonesty. Thus, both the grounds fall to the ground and we are of the opinion that conclusion reached by the expert examiner is so unreasonable that no reasonable person could have reached it.

3. Accordingly, the writ petition is allowed and writ of mandamus is issued directing the Board, opposite party No. 1, to declare the petitioner's result for the year 1980, forthwith.

(Petition allowed)