

(2013) 09 KAR CK 0373

In the Karnataka High Court

Case No : Writ Petition No. 11939 of 2013 (EDN-EX)

Sri Suresh Kumar V.K.

APPELLANT

Vs

State of Karnataka, Bangalore University Gnanabharathi and
Dr. Ram Manohar Lohiya College of Law

RESPONDENT

Date of Decision : 30-09-2013

Acts Referred:

Citation : (2013) 09 KAR CK 0373

Hon'ble Judges : S. Abdul Nazeer, J

Bench : Single Bench

Advocate : Cyril Prasad Pais, for the Appellant; Omkumar R., AGA for R1, Sri N.K. Ramesh, for R2 and Sri C.N. Mahadeshwaran, for R3, for the Respondent

Final Decision : Allowed

Judgement

S. Abdul Nazeer, J.—I have heard learned counsel for the parties. Petitioner had appeared for the examination of failed subjects of 5 year LLB course in November, 2012. Respondent University did not declare the result of the said examination. Therefore, the petitioner filed writ petition before this court in W.P. No. 12345/2012 seeking a direction to the respondent University to declare the result of the examination taken by him. On 10.08.2012, it was submitted on behalf of the respondent University that the University has declared the result of the examination on the previous day. Recording the said submission, the writ petition was disposed of.

2. The contention of learned counsel for the petitioner is that since the result of the examination taken by the petitioner was not declared by the respondent University along with other students, he could not apply for revaluation of the answer scripts. He had a bright chance of success in revaluation. On account of the mistake of the University he was deprived of a chance to apply for revaluation. Therefore, he should be permitted to take examination in the subject, namely, Human Rights Theory" in which he had failed.

3. It is clear from the materials on record that though the petitioner had appeared for the examination in the subject "Human Rights Theory" during October-November 2012 his result was not declared by the respondent University along with the other students. Therefore, he had to file writ petition in W.P. No. 12345/2012. At the time of hearing of the said writ petition, a submission was made on behalf of respondent University that the result of the petitioner was declared on the previous day. Since the result was not declared along with other students, who had appeared for the said examination, he was deprived of an opportunity to apply for revaluation as there is a bar in the relevant Regulations of the University. I am of the view that respondent University has to permit the petitioner to appear for the examination in the subject, namely, "Human Rights Theory" in the ensuing examination (October-November, 2013). The petitioner is permitted to deposit the examination fee with the third respondent College within a period of one week from today and the third respondent is directed to forward the same to the respondent University immediately thereafter. The respondent-University is directed to permit the petitioner to appear for the ensuing examination in the aforesaid subject. Writ petition is accordingly allowed. No costs.