

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) 305 of 2025

Smt. Juli Debbarma

daughter of Shri Rabindra Debbarma,
Resident of Halahali, P.S. Kamalpur,
District- Dhalai Tripura, Tripura.

.....**Petitioner(s)**

Versus

- 1. The Secretary Cum Commissioner,**
Education Department, Government of Tripura,
Civil Secretariat Complex, P.S. N.C.C.,
District- West Tripura, Tripura.
- 2. Vice-Chancellor,**
Tripura University (A Central University),
Surjyamaninagar, P.S. Amtali,
District- West Tripura, Tripura.
- 3. Registrar,**
Tripura University (A Central University),
Surjyamaninagar, P.S. Amtali,
District- West Tripura, Tripura.
- 4. Controller of Examinations,**
Tripura University (A Central University),
Surjyamaninagar, P.S. Amtali,
District- West Tripura, Tripura.
- 5. Principal,**
Veterinary College of Sciences & Animal Husbandry,
R.K. Nagar, P.S. Bodhjunnagar,
District- West Tripura, Tripura.

.....**Respondent(s)**

For the Petitioner(s) : Mr. Debesh Chandra Roy, Advocate
Mr. Nirmal Chowdhary, Advocate
Mr. Akhter Hossain, Advocate

For the Respondent(s) : Mr. Kohinoor N. Bhattacharya, G.A.
Mr. M. Debbarma, Addl. G.A.
Mr. Raju Datta, Advocate

Date of hearing & delivery
of Judgment & order : 17.07.2025.

Whether fit for reporting : Yes

HON'BLE JUSTICE DR. T. AMARNATH GOUD
J U D G M E N T & O R D E R (O R A L)

[1] Heard Mr. D.C. Roy, learned counsel appearing for the petitioner. Also heard Mr. Raju Datta, learned counsel for the respondents- Tripura University (respondents No.2, 3 & 4). Mr. M. Debbarma, learned Addl. G.A. is present for representing the State-respondent.

[2] This present petition is filed under Section 226 of the Constitution of India seeking following reliefs:

“i) To admit this petition.

ii) Issue notice upon the respondents.

iii) Call for records.

iv) And after hearing the parties be pleased to direct the respondents to evaluate and re-check the entire answers of all the answer sheets of all 3(three) subjects and or to pass any other/orders as your Lordship may deem fit and proper.....”

[3] The case of the petitioner in brief is that she belongs to the Scheduled Tribe community of the State of Tripura who was admitted in the College of Veterinary Sciences & Animal Husbandry in the year 2019. The petitioner passed First Professional Exam in 2020 and thereafter, she passed the 2nd professional Exam in 2021. It is contended by the petitioner that due to shortage in her attendance in 2022, she could not appear in the 3rd professional Exam. It is also stated that, due to her fracture injury in leg which she sustained while taking part in the College sports of her college, she could not appear in all the subjects of Third Professional Exam in 2023. Thereafter, she appeared in the 3rd professional Exam in 2024 but, she became unsuccessful in the said Exam as she obtained less marks than the required pass marks in (three) subjects i.e. (1) Veterinary Pharmacology and Toxicology, (2) Veterinary Parasitology & (3) Veterinary Clinical Practices-I. Thereafter, she sought for inspection of answer scripts and also for revaluation of the answers of all the answer sheets and deposited requisite fees in university but according to her the university did not consider the same. It is further stated that the petitioner on earlier occasion filed a writ petition before this Court being WP(C) 264 of 2025 which was withdrawn with liberty to file a fresh. Thereafter, she has again approached this Court seeking the above-noted reliefs.

[4] Mr. D. C. Roy, learned counsel for the petitioner submits that the petitioner applied for review of the answer sheets of the three subjects in which she had been unsuccessful i.e. (1) Veterinary Pharmacology and Toxicology, (2) Veterinary Parasitology & (3) Veterinary Clinical Practices-I by depositing requisite fees and accordingly, on 24.04.2025, the authority asked her to be present for re-check of the entire answer sheets of the said three subjects and the petitioner was given opportunity to check/inspect the scripts and the petitioner inspected the same. In the process, the authority did only totalling of the marks in each of the answer sheet but, they did not do any revaluation/reassessment of the answers. In fact, she wanted to get reassessment/revaluation of the answers of the aforesaid three subjects in which she was shown as failed. He further submits that if the revaluation of all answers of the said answer sheets of the aforesaid subjects is properly done, in that case there would be every possibility for the petitioner to be successful and the academic year of the petitioner would not be lost. It is also contended that according to Veterinary Council of India Rules, if any candidate attempts thrice in the same class and fails, in that case the candidate will be debarred from the whole academic programme and the entire academic career in the B.V.Sc. & A.H. Course will be lost. Learned counsel, therefore, urges this Court

to direct the respondents to reevaluate and re-check the entire answers of all the answer sheets of the aforementioned three subjects.

[5] On the other hand, Mr. Raju Datta, learned counsel appearing for respondents No.2, 3 & 4 vehemently opposes the contention made on behalf of the petitioner. He contends that there is no specific rule mentioned in the Rules and Regulations for the B.V. Sc. & A.H, course/examination regarding revaluation/reassessment/rechecking of answer scripts. The petitioner had prayed to Tripura University for inspection of answer scripts which was allowed and being fully satisfied she had submitted her declaration. He further submits that as per Notification vide No. F.TU/REG/UG/03/07(Vol-1) dated 04.07.2022 issued by the Tripura University, the terms and conditions for inspection of answer scripts only allows for inspection of answer script on submission of prescribed application form along with fees and in the present case, the petitioner applied for inspection of answer scripts and also submitted fees and thereafter she herself has inspected the answer scripts and submitted her declaration. Mr. Datta, learned counsel, therefore, urges this Court to dismiss the present petition.

[6] Heard the submissions made at the Bar. Perused the material evidence on record. Counter-affidavit has also been filed on behalf of the respondents No.2, 3 & 4.

[7] It is seen from record that opportunity of inspection of answer scripts were given to the petitioner and now, it is only argued by the learned counsel for the petitioner to consider the case with a prayer for reassessment and re-examination of the answer-scripts since, otherwise, the petitioner shall lose her academic career. Mr. Raju Datta, learned counsel appearing for respondents No.2, 3 & 4 submits that there is no provision for reassessment and re-examination and thus, when there is no provision or any rule or guideline to that effect, the petitioner is not entitled for such relief.

[8] Undisputedly, there is no provision for reassessment and re-examination of the answer-scripts and from the mark-sheet of the petitioner marked as Annexure-E to the instant petition, it is seen that in the aforementioned three subjects i.e. (1) Veterinary Pharmacology and Toxicology, (2) Veterinary Parasitology & (3) Veterinary Clinical Practices-I, the petitioner got 60.95, 52.18 and 48 marks respectively out of 100 marks whereas, it is argued before this Court that the minimum marks for passing those examination is 64 out of 100 marks. Since there is

a huge gap between the marks obtained and the required minimum pass-mark, in the absence of any rule for re-assessment/revaluation/re-examination of the answer-scripts, this Court cannot invoke its jurisdiction to consider the case of the petitioner in filling up such gap. The petitioner has not made out a case for considering the prayer. No cogent reasons are indicated in the pleadings to consider the prayer except making a submission that the petitioner would lose academics.

[9] In view of the above discussions, this Court is of the view that no direction can be imposed upon the respondents concerned to re-examine the answer-scripts since, there is no provision, rule or guideline in existence to that effect. Hence, the present writ petition filed by the petitioner is dismissed.

[10] With the above observations, the instant petition is dismissed and thereby, the same is disposed of. As a sequel, miscellaneous application(s), pending if any, shall also stand closed.

DR. T. AMARNATH GOUD, J

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