

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7069 of 2015

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Pavuluri Devendra S/o Pavuluri Jeevaratram R/o Guddu Lodge, NIT Mor, Ashok
Raj Path, P.O. + P.S. - Sabzibagh, District - Patna.

.... Petitioner/s

Versus

1. The Union of India through Secretary Ministry of HRD, Govt. of India, New Delhi.
2. The Director National Institute of Technology, Patna.
3. The Deen Academics, National Institute of Technology, Patna.
4. The Deen Student Welfare, National Institute of Technology, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s :	Mr. S.M. Shabbir Alam
	Mr. Sanjeev Kumar
For the Respondent/s :	Mr. S. D. Sanjay, Sr. Advocate
	Mr. S. K. Giri

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 21-05-2015

21.05.2015

Heard learned counsel for the parties.

Petitioner has filed the present writ application
for condoning the shortage of attendance as well as for a
direction to permit him to sit in the examination. He has
been prevented from doing so on the ground that there
was short fall of attendance.

Petitioner's counsel submits that the petitioner
suffered injury while playing football for the institution
and because of extensive nature of the injury he could
not attend as many number of classes as required.

In the counter affidavit filed on behalf of the
respondents, the stand of the NIT is that there is a huge

shortfall of attendance. Petitioner is nowhere near the minimum 75 per cent mandated. The respondents have already condoned his absence during the period of his injury, but even that does not help him reach the required percentage.

Taking into consideration that the respondents have very fairly condoned the period of his absence while he was undergoing treatment, this Court is not willing to make further concession by condoning the shortfall in attendance beyond the same, for which there is no clear justification.

If the condonation makes him eligible to sit in the next examination, including supplementary examination, then surely respondents will permit the petitioner to participate in the same.

Writ application stands disposed off with observation / direction as above.

(Ajay Kumar Tripathi, J.)

SKM/-

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