

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

FRIDAY, THE 20TH DAY OF FEBRUARY 2015/1ST PHALGUNA, 1936

WP(C).No. 1888 of 2015 (I)

PETITIONER:

**NABEESATH AL MISIRIYA, AGED 22 YEARS,
D/O.ABDUL JABAR, MEZHUKKATTIL HOUSE,
EDATHALA NORTH P.O, MALAYAPPILLI, ALUVA,
ERNAKULAM DISTRICT - 683 564.**

BY ADV. SMT.K.M.RASHMI (PARAVOOR)

RESPONDENT(S):

- 1. THE CONTROLLER OF EXAMINATIONS,
MAHATHMA GANDHI UNIVERSITY,
KOTTAYAM, PIN - 686 021**
- 2. THE REGISTRAR,
MAHATHMA GANDHI UNIVERSITY,
KOTTAYAM - 686 021.**

BY ADV. SRI.VARUGHESE M.EASO, SC

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 20-02-2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:**

mbr/

WP(C).No. 1888 of 2015 (I)

APPENDIX

PETITIONER(S)' EXHIBITS:

EXT.P1 - TRUE COPY OF THE ORDER DATED 28-11-2014 IN WPC.31049/2014.

EXT.P2 - TRUE COPY OF THE ORDER DATED 11-12-2014 IN WPC.33452/2014.

EXT.P3 - TRUE COPY OF THE REPRESENTATION DATED 15-12-2014.

RESPONDENT(S)' EXHIBITS:

EXT.R1(A) : TRUE COPY OF NOTIFICATION NO.5641/01/ACAVIII/2014
DATED 25.7.2014.

/TRUE COPY/

P.S. TO JUDGE

mbr/

K. Vinod Chandran, J.

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W.P.(C)No.1888 of 2015

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Dated this the 20th day of February, 2015.

JUDGMENT

1. Petitioner seeks regularization of her MBA admission, which she had obtained, on the basis of her B.Com qualification. Admittedly, at the time when she got herself admitted to the MBA Course, the petitioner did not have her graduate qualification, for reason of failure in one subject, in the 5th semester examination of B.Com. course. However, she had applied for revaluation and on that basis, pending publication of revaluation results, she was admitted as per Ext.P3, on condition of producing her mark-list, before closure of admission in October, 2014.
2. A brief look at the background facts disclosed that; the petitioner was a student of B.Com. course in the years 2011-14. She appeared for

her 5th semester examination in the third academic year in October, 2013, the results of which were published delayed in April, 2014. By that time, she sat for the 6th semester examination in the third year itself and qualified in the final year examination. Since she had failed in one subject in the 5th semester examination, she applied for revaluation as per application dated 2.5.2014. The publication of revaluation was delayed and the same was published only in November, 2014, by which time, the petitioner obtained admission to MBA course in a College, affiliated to the respondent University. In revaluation, the petitioner is said to have passed in the subject, in which she was declared failed in the 5th semester examination.

3. Considering the delay in publication of results of an examination conducted in October, 2013, this Court is of the opinion that, the petitioner's admission can be treated as regularized. Hence, the admission of the petitioner to the MBA course would stand

regularized, subject to her complying with all other conditions.

Writ petition is allowed.

K. Vinod Chandran, Judge.

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