

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No. 27112 of 2015 (O&M)  
Date of decision: 27.1.2016

**Abhishek Singh**

**.. Petitioner**

**v.**

**NIT Kurukshetra and another**

**.. Respondents**

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Vikas Chatrath, Advocate for the petitioner.

...

Rajesh Bindal J.

Prayer in the present petition is for extending the time limit for submitting the result of Graduation (B.Sc.) in 1<sup>st</sup> Division from 15.9.2015 to 28.2.2016 or till such time the result of improvement paper of Mathematics of B.Sc. Part-III is declared by Dr. Ram Manohar Lohia Avadh University, Faizabad (UP).

In the case in hand, the petitioner appeared in B.Sc. Examination. As per the conditions laid down for admission to MCA course in National Institute of Technology, Kurukshetra, even a candidate who had appeared in Graduation examination but his result had not been declared, was permitted to appear provisionally in Central Eligibility Test, however, he had to submit his certificate of passing Graduate examination by 15.9.2015 with at least 60% marks in aggregate or 6.5 CGPA on scale of 10. The result of the petitioner for B.Sc. was declared on 1.8.2015. He secured 58.72% marks. He applied for re-evaluation/re-checking. The marks were improved to 59.27%. The petitioner had still secured less than 60% marks.

The submission is that the petitioner has appeared in improvement examination of Mathematics of B.Sc. Part-III, the result of which has been declared now and he has secured more than 60% marks, hence, the University be directed to accept his Graduation certificate and regularise his admission.

After hearing learned counsel for the petitioner, I do not find any reason to interfere in the present petition. When the result of Graduation examination of the petitioner was declared on 1.8.2015, he secured 58.72% marks. The eligibility condition was that a candidate must have 60% marks at Graduation level. He was permitted to appear provisionally in Central Eligibility Test before even his result of Graduation was declared. It was subject to the condition that the certificate had to be submitted by 15.9.2015. It is not in dispute that upto that date, the petitioner did not produce any certificate with National Institute of Technology, Kurukshetra showing that the petitioner had secured 60% marks in aggregate in Graduation. In the absence thereof, the admission of the petitioner, which was provisional in nature, cannot be made regular merely because the petitioner subsequently claimed that he had appeared in improvement examination of Mathematics of B.Sc. Part-III, the result of which was declared on 7.1.2016.

Accordingly, the writ petition is dismissed.

(Rajesh Bindal)  
Judge

27.1.2016  
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