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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 11305/2015

KARTIK WADHWA

Through

..... Petitioner

Mr. Lalit Bhardwaj with Mr. A.K.
Dhupar, Advocates

versus

THE INSTITUTE OF CHARTERED

ACCOUNTANTS OF INDIA

Through

..... Respondent

Mr. Rakesh Aggarwal with Mr. Pulkit
Aggarwal, Advocates**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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29.04.2016

Present writ petition has been filed with the following prayers :-

- “(a) *That this Honourable Court may issue a writ of mandamus directing the respondent to re-examine the answer sheets of the petitioner namely, Kartik Wadhwa having roll no. 338856 (papers code no. 60249) for his Intermediate (IPC Group 2) / Accounting Technician Examination May 2015) in the month of May 2015.*
- (b) *Pass such other order or orders as this Honorable Court may deem fit and proper in the facts and circumstances of the present case.”*

(emphasis supplied)

Learned counsel for the petitioner states that in the present case petitioner's answer sheet has not been marked in accordance with the settled

procedure inasmuch as no step-by-step marking has been done. In support of his submission, he relies upon judgment of Supreme Court in ***President Board of Secondary Education Orissa and Another Vs. D. Suvankar and Another, (2007) 1 SCC 603.***

It is settled law that universities and institutions have the autonomy to permit or deny revaluation. In the present case, rules of the respondent-Institute do not permit revaluation.

In ***Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay & Ors., (2011) 8 SCC 497*** it has been held that a provision barring inspection/revaluation is valid and binding on the examinee.

In ***Himachal Pradesh Public Service Commission Vs. Mukesh Thakur & Anr., (2010) 6 SCC 759*** it has been held that in the absence of any statute or statutory rules/regulations, the courts do not generally direct revaluation.

Consequently, this Court in writ jurisdiction cannot direct the respondent to re-examine/revalue the petitioner's answer sheet. Accordingly, present writ petition is dismissed.

MANMOHAN, J

APRIL 29, 2016

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