

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12790 of 2018

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Ashwani Anand, son of Sunil Kumar, resident of Samta Path, New Bangali Tola,
Post G.P.O., P.S.- Kotwali, District- Patna.

.... Petitioner/s

Versus

1. The Union of India through the Secretary, Department of Human Resource Development, Government of India, New Delhi.
2. The Joint Secretary, Department of Human Resource Development, Government of India, New Delhi.
3. The Additional Secretary (TE), Department of Human Resource Development, Government of India, New Delhi.
4. The Joint Admission Board through its Chairman, Ministry of human Resources Development, Government of India, New Delhi.
5. The Chairman, The Joint Admission Board cum Director, IIT Kanpur, Director's Bungalow, Indian Institute of Technology, Kanpur (U.P.).
6. The Executive Director, Joint Admission Board, Central Board of Secondary Education, H-149, Sector -63, Noida, District – Gautam Budh Nagar 201309 (UP).
7. The Deputy Centre in Charge, Joint Seat Allocation Board, 2018, National Institute of Technology, Patna.
8. The Central Board of Secondary Education through the Chairman, the Central Board of secondary Education, H-149, Sector -63, Noida, District- Gautam Budh Nagar 201309 (UP).

.... Respondent/s

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Appearance :

For the Petitioner/s : Miss. Priya Gupta, Advocate

For the Respondent/s : Mrs. Kanak Verma, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 11-07-2018

The petitioner passed Intermediate 12th Examination held by Central Board of Secondary Education in 2016 with 62% marks. He had appeared for Joint Entrance Examination (Main 2018) held for admission to various IITs/NITs/IIITs.

He is said to have cleared the examination. It is his grievance that he is not being allowed to participate in the process of



counseling for admission on the ground after 2016, 75% marks in 12th/Intermediate Examination has been prescribed as minimum eligibility criteria to appear for JEE (Main).

Miss Priya Gupta, learned counsel appearing on behalf of the petitioner has submitted that there are three attempts allowed to a candidate to appear in JEE (Main Examination). When the petitioner appeared in 2016, there was no requirement of 75% of marks in 12th Examination for becoming eligible to appear for JEE (Main) Examination. The decision subsequently taken by the respondents in the year 2017 that a candidate must have secured 75% marks in 12th Examination so as to qualify for admission in IITs/NITs/IIITs should have prospective effect only and the same should not be applied to those who were otherwise eligible before coming into force of this change in policy and they had still chance left to appear for admission test.

This is not in dispute that the information bulletin for Joint Entrance Examination (Main), 2018 specifically prescribed that a candidate must have secured at least 75% in 12th Examination to qualify for admission in IITs/NITs/IIITs. The petitioner, without questioning the rationale of the said prescription in information bulletin appeared for the examination. At this stage now he cannot turn around to question the validity of the prescription of 75% marks



in 12th Examination to be an eligibility condition for admission to various courses in IITs/NITs/IIITs.

In the circumstances noted above, the relief sought for in the present writ application, cannot be granted.

This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

N.H./- Sanjeev

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	13.7.2018
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