

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 879 of 2017**

- Ku. Ankita Rathore D/o Ramkhilawan Rathore, Aged About 23 Years R/o Near I.B. Rest House, Ward No.18, Janjgir, District Janjgir Champa, Chhattisgarh

---- Petitioner**Versus**

1. Bilaspur University Through Vice Chancellor, Near Gandhi Chowk, Bilaspur, District Bilaspur Chhattisgarh
2. Thakur Chhedilal Government Post Graduate Mahavidyalay Through Dean, Janjgir, District Janjgir Champa Chhattisgarh,

---- Respondent

For Petitioner	Shri Punit Ruparel, Advocate
For Respondent No.1	Shri Neeraj Choubey, Advocate
For Respondent No.2	Shri Rajendra Tripathi, PL

Hon'ble Justice Mr. Prashant Kumar Mishra**Order On Board****26/09/2018**

1. Petitioner appeared in the M.Sc. Previous (Physics) Examination conducted in March-April 2016. She secured 33 out of 100 marks in the said subject, therefore, she applied for revaluation, in which she secured 37 out of 100. However, the second valuer allowed her 33 out of 100 marks, therefore, the change being less than 10% of the total marks, the petitioner was informed that there is no change in the marks obtained by her in view of the Ordinance

No.6 of the University.

2. Referring to the answer sheet (Annexure-P-4), it is argued that the same does not contain any allotment of marks against the questions attempted by the petitioner, therefore, it appears, she has been allotted marks without valuation.
3. Having seen the answer sheet, I am satisfied that the answer sheet has been valued, as just after the completion of the answer to each of the attempted question, the answer has been pasted by using a sticker, which is the normal procedure when an answer sheet is sent for revaluation so that the new valuer is not aware as to what marks were allotted by the previous valuer and the re-valuer applies his mind independently without being influenced by the earlier allotment of marks.
4. The petitioner would now contend that she is entitled for grace marks so that one precious year of her career is saved. To this argument, Shri Choubey, learned counsel for the University, would submit that under the rules of the University applicable to the subject exam, the grace mark is permissible in the final year examination and not in the previous year examination of the Post Graduate Exam. Since the petitioner has appeared in M.Sc. Previous (Physics), she is not entitled to be awarded any grace mark under the rules of the University.
5. It is settled law that writ Court should not ordinarily interfere with the decision taken by the academic institutions in the matter of conduct of examination and valuation of answer sheets. If the

petitioner is not entitled for any grace mark under the rules of the University, such marks cannot be allowed by the writ Court on pure sympathy.

6. The writ petition has no substance. It fails and is hereby dismissed.

Sd/-
Prashant Kumar Mishra
Judge

Nirala