

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (C) No.1446 of 2018

Ku. Alpana Yadav, daughter of Shri Sahasram Yadav, aged about 32 years, R/o Malkharoda, Police Station Malkharoda, District Janjgir-Champa (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through the Secretary, Technical Education Department, Mahanadi Bhawan, Mantralaya, New Raipur (C.G.)
2. The Director, Directorate of Technical Education, Indravati Bhawan, New Raipur (C.G.)
3. The Vice Chancellor, Chhattisgarh Swami Vivekanand Technical University, Bhilai, District Durg (C.G.)
4. The Principal, Ramakrishna Rathore Government Polytechnic, Janjgir, District Janjgir-Champa (C.G.)

---- Respondents

For Petitioner: Mr. Harish Khuntiya, Advocate.

For Respondents No.1, 2 and 4 / State: -

Mr. Ratan Pusty, Govt. Advocate.

For Respondent No.3: Mr. Rajeev Shrivastava, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

18/05/2018

1. Heard.
2. Learned counsel for the petitioner submits that the petitioner was allowed to appear in the examination, as a special case, in November-December, 2017, but she could not appear for want of information from College / University side pursuant to which the Principal of the College has recommended to the University for permitting her to appear in the examination of Diploma in Civil Engineering, last semester, commencing from 19-5-2018.
3. Learned counsel for the University – respondent No.3 submits that all those students who could not appear in the said examination for

personal reasons will be allowed to appear in the examination to be held in the month of November, 2018 and in that examination, the petitioner will be permitted to appear.

4. It is not in dispute that the petitioner was allowed to appear in the said examination, as a special case, in November-December, 2017, but the said information did not reach to the petitioner pursuant to which she could appear in the examination. It is not the fault of the petitioner, it may be the fault of the College or the other authorities, but certainly, the petitioner cannot be made to suffer for her no fault since she is eligible and permission has already been granted to her for appearing in the examination in November-December, 2017 and the University is ready and willing to permit her to appear in the examination to be held from November, 2018. Therefore, it would be expedient to direct the University to permit the petitioner to appear in the examination commencing from 19-5-2018 in Diploma in Civil Engineering, last semester, as her eligibility and qualification to appear in the examination are not in dispute. Accordingly, the University is directed to process and allow the petitioner to appear in the said examination commencing tomorrow.
5. Mr. Pusty and Mr. Shrivastava, learned counsel appearing for the State and the University, respectively, will inform the order of this Court to the authorities concerned.
6. With the aforesaid observation and direction, the writ petition stands finally disposed of. No order as to cost(s).
7. Certified copy today.

Sd/-
(Sanjay K. Agrawal)
Judge