

HIGH COURT OF CHHATTISGARH, BILASPUR
WPC No.2174 of 2018

Rahul Sahu S/o Shri Premu Sahu, aged about 22 years, R/o Ward No.10, Nawagarh, District Bemetara (CG)

---- Petitioner

Versus

Indira Gandhi Krishi Vishwavidyalaya, through The Registrar, Raipur, District Raipur (CG)

---- Respondent

For Petitioner	: Mr.Prateek Sharma, Advocate
For Respondent	: Mr.D.N.Prajapati, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

6/8/2018

1. The petitioner appeared in PG Common Entrance Test 2018 for PG (Agriculture) Course conducted by the respondent-University, in which he was allotted Roll No.92100303. Examination was held on 26.5.2018, in which he was given question paper set 'D', but he could not fill up the same in OMR answer-sheet, pursuant to which, his result has not been declared. Against non-declaration of his result, this writ petition has been filed.

2. Learned counsel for the petitioner would submit that due to bonafide inadvertent mistake, question paper set 'D' could not be filled up by the petitioner in OMR answer-sheet for which the petitioner cannot be made to suffer with such stringent consequence.

3. On the other hand, learned counsel for the respondent-University would submit that it is grave mistake on the part of the petitioner which cannot be corrected as number of candidates have been declared failed on that count as it was incumbent on the part of the candidates to fulfill all the criteria.

- 4.** I have heard learned counsel for the parties and perused the documents appended with the writ petition.
- 5.** It is correct to say that the candidates must strictly fulfil particulars of set of question paper in OMR answer-sheet, but inadvertent bonafide mistake, if any, can always be corrected. Admittedly, the petitioner was given question paper set 'D' by the respondent-University, which has been filed as Annexure P/5, but only on the ground of non-mentioning of question paper set 'D' in OMR answer-sheet, result of candidates cannot be withheld. It appears to be bonafide mistake in which the candidate cannot be allowed to deprive the result of his examination that too particularly competitive examination, which is arbitrary. It ought to have examined on being brought to the notice of the University. That has not been done in this case.
- 6.** In view of above, the respondent-University is directed to allow the petitioner to correct it or the respondent-University can correct itself, as it is undisputed position that question paper set 'D' was allotted to the petitioner and thereafter declare the result forthwith as counselling is going on.
- 7.** The writ petition is allowed to the extent indicated hereinabove. Mr.Prajapati is directed to communicate this order to the University forthwith.

Certified copy today itself.

Sd/-

(Sanjay K. Agrawal)

Judge