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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO.3158 OF 2018

Bhavya Sinha

..Petitioner

Versus

Shri. Vile Parle Kevlani Mandal, Mumbai
and others

..Respondents

Mr. Mihir Desai, Senior counsel I/by Ms. Devyani H. Kulkarni and
Pravin Singhal, Advocate for the Petitioner.

Ms. Manorama Mohanty a/w Mr. A. P. Singh I/by M/s. S. K. Srivastav
and Company, Advocate for Respondent Nos.1 to 3.

**CORAM: B. R. GAVAI &
M. S. KARNIK, JJ.**

DATE: 11th OCTOBER, 2018

P.C.:-

1] Petitioner has approached this Court praying for quashing and setting aside the result given by Respondents to the Petitioner in the subject of Engineering Mathematics-I re-examination paper in which Petitioner has secured 44 marks out of 100.

2] Petitioner, who had appeared for First Semester Examination, did not clear the subject of Engineering Mathematics-I. Unless the

student clears all subjects of First Semester, he/she is not entitled to for admission to Fifth Semester. As such, the Petitioner again appeared for examination for the said subject held in the month of May, 2017. Petitioner secured 14 out of 30 marks in the internal examination and 27 marks in external examination. Petitioner has applied for revaluation to Respondent No.3 twice. In the first revaluation, marks were increased to 29 and in the second revaluation, it again came down to 27. According to the Petitioner, Petitioner has sent her answer-sheet for examination to external expert and he found that the Petitioner was entitled to 4 more marks.

3] Even if the evaluation, as is done privately by the Petitioner, is accepted, then also the Petitioner does not get qualifying marks. If 4 marks are added to 27, the marks would become 31. If 14 marks granted in internal examination are added to the said 31 marks, it would become 45. According to Rules, student is entitled to maximum 3 grace marks, that would take the total to 48. It could thus be seen that even if evaluation, as is done by the Petitioner's private expert, is accepted still the Petitioner does not get qualifying

50 marks. This is apart from the fact that in the matters pertaining to academic examinations, this Court should be slow in interfering with the decisions of experts. At some stage, finality in valuation and re-valuation has to be accepted. If the Court permits students to approach this Court and seek revaluation in each and every matter, the Court would become a super controller over academic matters of Universities and Institutions.

4] In that view of the matter, we are not inclined to entertain the present Petition. Petition is rejected.

(M. S. KARNIK, J.)

(B. R. GAVAI, J.)