

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 695 of 2019**

1. Abdul Moin Khan S/o Abdul Wahab Khan Aged About 21 Years R/o C.M.D. College Ke Samne Link Road, Bilaspur, Thana - Tarbahar, District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Sachiv, Uchcha Shiksha Vibhag, Mantralaya, Naya Raipur, Raipur Chhattisgarh.
2. Kulsachiv Atal Bihari Bajpai Vishvavidhyalay Bilaspur, District Bilaspur Chhattisgarh.
3. Pariksha Niyantrak Atal Bihari Bajpai Vishvavidhyalay Bilaspur, District Bilaspur Chhattisgarh.

---- Respondent

For Petitioner	Shri Abdul Wahab Khan, Advocate
For Respondent/State	Shri Rajesh Singh, Dy. Govt. Adv.
For Respondent/University	Shri Sudeep Agrawal, Advocate

Order On Board**By****Prashant Kumar Mishra, J.****01/03/2019**

1. Petitioner appeared in the supplementary examination of B.Sc. Part I wherein he secured 29 marks in the theory paper. Thus, he was declared fail in that paper as he failed to secure minimum 33 marks. In the meanwhile, petitioner was admitted in B.Sc. Part II course and has attended the class throughout the year.

2. Learned counsel for the University would oppose the petition.
3. Petitioner has submitted one document, which is a communication emanating from the HoD (Head of the Department) of the concerned subject in CMD PG College, Bilaspur. The HoD has examined the answer sheet of the petitioner, which he had procured under the Right to Information Act, 2005. The HoD has recommended that the petitioner should get 4½ marks more than what is awarded to him.
4. Let the petitioner move a representation along with copy of the letter dated 4-2-2019 before the respondent University within a period of 3 (three) days from today. The University shall, thereafter, consider and decide the representation of the petitioner within a week so that one precious year of the petitioner is not wasted as he had already been admitted and attended the course of B.Sc. Part II.
5. In the meanwhile, the petitioner shall be provisionally allowed to appear in the B.Sc. Part II examination, which shall remain subject to decision taken by the University on petitioner's representation.
6. Accordingly, the writ petition stands disposed of.

Sd/-

Judge

Prashant Kumar Mishra

Gowri