

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 933 of 2020**

Dhanraj S/o Shri Dasharam Sahu Aged About 20 Years R/o House No. 422, Rajrang Chauk, Ward No. 20, Raikona, Baloda Bazar, Chhattisgarh. 493559,
---- Petitioner

Versus

1. Guru Ghasidas University Through - Its Registrar, Koni, Bilaspur, Chhattisgarh.
2. Bastar University Through- Its Registrar, Jagdalpur, (Dharampura), District- Bastar, Chhattisgarh. 494005
3. Government Veer Gend Singh Collage Pakhanjur, Through Its Principal, District- Kanker, Uttar Bastar, Chhattisgarh. **---Respondents**

For Petitioner	: Ms. Shriya Mishra, Adv.
For Respondents	: Mr. Neeraj Choubey, Adv.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****18/05/2020**

1. The present writ petition has been filed seeking for issuance of a mandamus/direction to the respondents no. 2 & 3 to first declare the result of the petitioner and also issue the mark-sheet for the second year course of B.Sc. Hons. Botany.
2. The relevant facts of the case are that the petitioner first got admission for the B.Sc. Hons. Botany course in the respondent no. 1- university for the academic session 2017-2018. The petitioner appeared in both the session for the first year and passed the same and the mark-sheet was also issued to the petitioner. Subsequently, however, for reasons best known, he discontinued his course under Respondent no. 1. That, at a later stage he went to take admission in the respondent no. 3-college, affiliated with the respondent no. 2 University, for the B.Sc. Botany course. Examination for the said course was also conducted. However, subsequently, the results were withheld and the respondent no. 2 University vide communication dated 26.06.2019 (Annexure-P/8) intimated the respondent No. 3-college that the results of the petitioner have been

withheld for the reason that the petitioner has been wrongly granted admission by the said college, and therefore, the results can not be declared. It is this action of the respondents which is under challenge in the present writ petition.

3. From the writ petition itself, it is evidently clear that the petitioner had first got admission in the respondent no. 1-University for the B.Sc. Hons. Botany course. The said course was a five year course. The admission which the petitioner later got in the respondent no. 3-college was a three years course. Thus, the admission in the second year of the three year course by a candidate who had cleared only first year examination of a five year course is not otherwise permissible under the statutes or the rules.
4. Given the said fact, if the petitioner's results have been withheld, the same can not be held under any circumstance to be bad-in-law or malafide. The petitioner should have taken all necessary precautions and should have done all necessary enquiries under the statute ascertaining the fact whether admission in the given circumstances is permissible or not. Only because of an error on the part of the respondent no. 3-college which has wrongly granted admission to the petitioner for the B.Sc. Botany course three years tenure course, the same can not legalize the claim of the petitioner which otherwise is not permissible under the rules.
5. Given the said facts, this Court is of the firm view that no strong case has been made out by the petitioner calling for an interference with the impugned action.
6. The writ petition thus fails and is accordingly dismissed.

Sd/-

**(P. Sam Koshy)
Judge**