

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 185 of 2021

Anjali Tiwari D/o Shri Kamlesh Tiwari Aged About 22 Years R/o Near H/no.- 183/G, Near S.B.I.- Wadrafnagar, District- Balrampur- Ramanujganj (C.G.)

---- Petitioner

Versus

1. Guru Ghasidas University Through Its Vice Chancellor, Koni District- Bilaspur, (C.G.)
2. Head Of Department-Department Of Biotechnology Guru Ghasidas University, Koni, District- Bilaspur (C.G.)

---Respondents

For petitioner – Shri Palash Tiwari, Advocate.
For respondents – Shri Shashank Thakur, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

20/01/2021

Heard.

1. Instant petition is filed seeking direction for admission in the M.Sc. Biotechnology for the session 2020-2021 in Guru Ghasidas Vishwavidyalaya, Bilaspur.
2. It is contended that the petitioner appeared for final bachelor examination with Sant Gahira Guru, Vishwavidyalaya, Sarguja Ambikapur which is popularly known as Sarguja University. She applied for the course in M.Sc. Biotechnology and the requirement of the document for consideration of the admission were mark sheet of 10th class, mark sheet of 12th class and mark sheet of final semester of qualifying bachelor degree. It is contended that the petitioner though appeared in the final year bachelor degree examination with the Sarguja University but result of the final semester were not declared despite the examination having been

conducted in April-May, 2020. It is contended that because of the covid pandemic situation the result were not declared by the Sarguja University, the petitioner was deprived to submit her mark sheet on the last cut of date of 20/12/2020 which was a extended date for submission of the document by the Guru Ghasidas University. It is stated that the petitioner got her mark sheet on 24/12/2020 and immediately she submitted her document with the University, however despite the fact that one seat in the EWS still lies vacant the petitioner's application was not considered. Learned counsel submits that therefore the petitioner may be directed to be admitted to the M.Sc. Biotechnology for a vacant seat in the EWS.

3. Learned counsel for the respondents would submit that the petitioner could not submit the document well within time as such her admission could not be considered and after cut of date when the documents were supplied despite the fact that one seat was vacant the petitioner was not admitted.

4. Perused the documents.

5. The documents would show that initially the admission application for M.Sc. Biotechnology was invited by the Guru Ghasidas Vishwavidyalaya, Bilaspur known as Central University on 27/10/2020 wherein the cut of date was fixed on 11/11/2020. Because of the fact that covid pandemic situation and the lock down, the period was extended and as evident from the letter dated 17/12/2020 issued by the HOD Biotechnology the last date for submission of the document was uptill 20/12/2020. The petitioner appeared in the B.Sc. examination of the bachelor course for the final semester but her result was not declared by the Sarguja University of Ambikapur. The document would show that result of the final semester were declared on 24/12/2020. Thereafter the petitioner made an application immediately forwarded the document and

sought for admission.

6. The circumstances of the facts would suggest that the petitioner could not be admitted for the reason the final year examination result were not declared by the Sarguja University. Admittedly on subsequent date when the results were declared she passed out. The results were declared on 24/12/2020 when the cut of date by the Central University has lapsed which was after due extension of time. The Central University has also from time to time has extended the date for filing the document. The Central University extended the date for filing of the document and the last date was on 20/12/2020 as such the Central University official were also aware of the fact that because of the pandemic and the lock down situation the formalities could not have been completed by the students for submission of the documents. In case of the petitioner too it would reveal that though the petitioner appeared in the examination in the Sarguja University her result could not be declared, therefore she cannot be held to be at fault for the late declaration of result which could not be out on time by the University. Had it been a natural course of the situation without pandemic and the lock down the kind of situation would not have arose at all. The extra ordinary circumstances for the pandemic and the lock down the extraordinary measures are to be adopted for redressal of the grievance.

7. Consequently, in a given facts of this case, the petitioner cannot be blamed for the result which was not declared on time by the Sarguja University. In a result, it is directed that the petitioner be admitted to one seat in M.Sc. Biotechnology in Guru Ghasidas Vishwavidyalaya, Bilaspur which is vacant till date in the EWS category. The petitioner may furnish the necessary formalities the fees and the other documents within a period of two weeks.

8. With such observation, the petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE

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