

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

Sr. No.117

**CWP-19722-2021 (O&M)
Date of decision : 29.09.2021**

Yuvraj Goyal

..... Petitioner

VERSUS

Baba Farid University of Health Sciences and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sanjiv Gupta, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner has obtained 32.5 marks in the Bio-Chemistry, B-Paper of M.B.B.S first professional. His request for re-evaluation has been rejected. Thus, the present writ petition has been filed.

Learned counsel for the petitioner fairly concedes that the rules/regulations of the University do not provide for re-evaluation. He, however, submits that re-evaluation is the right of a student irrespective of the rules/regulations. Reliance is placed upon Devarsh Nath Gupta Vs. State of Uttar Pradesh and others, 2019 (6) ADJ, 296.

I have gone through the aforementioned judgment. In the said case, the contention was that it was a case of gross negligence and irresponsibility as the examiner had not checked the entire answer-sheet scrupulously. This submission was made on the basis of a perusal of copy of the answer-sheet, which was obtained under the Right to Information Act, 2005. The allegation has been upheld after examining the answer-sheet. Under the circumstances, a direction for re-evaluation has been issued. No law has been laid down that in every case, a student is entitled for re-evaluation.

A perusal of the answer-sheet of this case does not impel me to conclude that the examiner had been negligent and irresponsible. Thus, Devarsh Nath Gupta’s case (supra) does not help the case of the petitioner. Admittedly, the relevant rules/regulations do not provide for re-evaluation.

In view of the above, the writ petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

29.09.2021
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No