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Jitendra Kumar Pathak Vs. the State of Madhya Pradesh

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Court : Madhya Pradesh

Decided On : Jun-28-2013

Appellant : Jitendra Kumar Pathak

Respondent : The State of Madhya Pradesh

Advocate for Def. : Shri. Purushaindra Kaurav

Advocate for Pet/Ap. : Shri. R.S.Chaturvedi

Judgement :

W.P.No.8252/2013 28/06/2013 Shri R.S.Chaturvedi, learned counsel for the petitioneRs.Shri Purushaindra Kaurav, learned counsel for Respondent No.3/University.

Petitioners claim to be students of Respondent No.4/ College and have undertaken the Bachelor of Education Examination conducted in the year 2009-10.

Inter-alia contending that their results have not been declared by Respondent No.3/ University, this writ petition has been filed.

Inviting my attention to an order passed under similar circumstances with regard to the students of the same institute for the same couRs.as contained in Annexure-P6 dated 20.12.2012, learned counsel argues that in more than 10 cases of identical nature, orders have been passed and the petitioners pray for identical benefit.

Learned counsel appearing for the Respondent No.3/ University submitted that from the documents that have come on record, it is not clear, as to whether all the students are from the same institute i.e.Respondent No.4 and whether their names are included for being eligible for appearing in the said examination.

Be it as it may be, once an order has been passed with regard to the institute in question as is evident from Annexure-P6 in W.P.No.16718/2012 on 20.12.2012, Respondent No.3/ University shall examine the case of each of the students, verify the same and if identically situated, similar benefit be granted to similarly situated students.

That being so, on the petitioneRs.filing a certified copy of this order, the Registrar of the University shall examine the case of the petitioners in the light of the orders already passed under similar circumstances in W.P.No.16718/2012 on 20.12.2012 and various other cases and if found identically situated, similar benefit shall be granted to the petitioneRs.else it shall be incumbent upon the University to record reasons and pass a speaking order and communicate the same to the petitioneRs.With the aforesaid, the petition stands disposed of.

(Rajendra Menon) (M.A.Siddiqui) Judge Judge nd

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