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(AMENDED WRIT PETITION)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 2464/2004

PETITIONER

: Tathagat Shrivastava, S/o. Shri
K. L. Shrivastava, Aged about 34
years, R/o. Plot No. 327, Ward NO.
22, Shri Ram Colony, Behind
Railway Stadium, Raigarh, Distt.
Raigarh (C.G.).

VERSUS

RESPONDENTS

- : *R* 1. Guru Ghasidas University, Koni,
Bilaspur, (C.G.) Through: The
Registrar.
- N* 2. The Vice Chancellor, Guru Ghasidas
University, Koni Bilaspur, (C.G.).
3. The Principal,
Swami Balkrishna Puri Law
College, Raigarh (C.G.)

**WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF
INDIA FOR ISSUE OF AN APPROPRIATE WRIT IN THE NATURE OF
MANDAMUS/CERTIORARI ETC. OR DIRECTION/ORDER IN THE LIKE
NATURE ETC.**

आदेश पत्रक

मामला क्रमांक WP 2464/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p>29.10.2004</p> <p>Shri Rajesh Pandey, counsel for the petitioner.</p> <p>Shri Manindra Shrivastava, Standing Counsel for respondent No.1 & 2.</p> <p>Shri N.K. Malviya, Adv. appears on behalf of Shri A.K. Ataley, counsel for respondent No.3.</p> <p>Heard.</p> <p>The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India being aggrieved by the decision of respondent No.2 dated 11.08.2004(Annexure P-9) whereby the petitioner has been denied the admission in L.L.B. Part-1 on two grounds i.e. he has not passed the graduation examination under 10+2+3 scheme and secondly as per Clause 9.1 of the guidelines (Annexure R-4) issued by the State Government.</p> <p>Return has been filed on behalf of the respondent Nos.1 & 2.</p> <p>I have heard learned counsel for the petitioner, counsel for respondents No.1 & 2 and perused the record.</p> <p>As per Clause 9.1 of the guidelines issued by the State Government "if a candidate has been admitted in any college or in any department of the University in any faculty as a regular candidate and if he leaves the studies or fails in the examination or had not appeared in the examination, then he will not be admitted in the same class".</p> <p>In the present case, it is an admitted fact that the petitioner was admitted in L.L.B. 1st year, though it is said to be a provisional admission and as per return filed on behalf of respondent University roll number for appearing in LLB 1st year examination was also ^{was} issued to the petitioner, but he failed to appear in the said examination.</p>	

[पीछे देखिये]

3/11/04

आदेश पत्रक

मामला क्रमांक सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Roshan	<p>In view of the above, I am of the opinion that the petitioner has been rightly refused admission in LLB 1st year course.</p> <p>Learned counsel for the petitioner submits that in that case the respondents may be directed to allow the petitioner to appear in the L.L.B. 1st year examination as an Ex-student.</p> <p>In Para 15 of the return of respondent Nos.1 & 2 it has been mentioned that the case of the petitioner regarding allowing him to appear in the LLB 1st year examination as an Ex-student is concerned, respondent Nos.1 & 2 have not taken any decision till date because the petitioner did not raise any such claim, if he approaches respondents with such a claim, it would be considered in accordance with law.</p> <p>In view of the above, the petitioner is directed to approach respondent No.3-Principal, Swami Balkrishna Puri Law College, Raigarh, with a request to permit him to appear in the LLB 1st Year examination as an Ex-student. The respondent No.3 will forward the case of the petitioner to respondent No.1-University for consideration and, in turn, respondent No.1 shall decide the case of the petitioner about the eligibility to appear in the LLB 1st year Examination as an Ex-student for the session 2004-05 as early as possible in accordance with law.</p> <p>With the aforesaid directions, the petition stands disposed of.</p> <p>Certified copy as per rules.</p>	<p>Sd/- L.C.BHADOO Judge</p>

[पीछे देखिये]

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