

S.B. CIVIL WRIT PETITION NO.439/2007.

Raj Kumar Sharma

Vs.

State and ors.

Date of order : 1/6/2007.

**HON'BLE MR.JUSTICE MOHAMMAD RAFIQ**

Shri Vimal Kumar Jain for the petitioner.

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Heard learned counsel for the petitioner.

The petitioner has come up before this Court with the grievance that respondent-Pragati S.T.C. Institute which is a private institute has been pressurizing him to secure admission and make payment of the fee of the hostel whereas the petitioner has decided to stay outside the hostel in a private accommodation. The respondent has issued to him a notice on 10/1/2006 that in case the fee of the hostel is not deposited, he shall be deprived to appear in the practical examination which may have serious consequences.

Petitioner apprehends that the aforesaid private college and its Director may declare him

failed in practical examination and therefore the respondents be directed to permit the petitioner to appear provisionally in practical as well as written examinations from any other S.T.C. College.

I am afraid, this Court in exercise of its power under Article 226 of the Constitution of India may not entertain such request. In view of the nature of the grievance of the petitioner, the appropriate forum for him would be to make a representation to the Secretary, Department of Education (Primary), Government of Rajasthan, Jaipur who shall upon receiving such representation consider the same and pass appropriate order as early as possible preferably before the examinations aforesaid.

**(MOHAMMAD RAFIQ), J.**

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