



Case No.....

Serial No.	Date	Order (s) with Signature (s)
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06.	07-12-2009 (Dr. Saikia, CJ)	<p style="text-align: center;"><u>PRESENT:</u> HON'BLE THE CHIEF JUSTICE DR. JUSTICE AFTAB H. SAIKIA HON'BLE MR. JUSTICE A. P. SUBBA, JUDGE</p> <p>Heard Mr. A.K. Upadhyaya, learned Senior Counsel assisted by Mr. Ashim Chhetri and Mr. D. Tewari, learned Counsel for the petitioner as well as Mr. Karma Thinlay, learned Central Government Counsel appearing for the respondents.</p> <p>By means of this application filed under Article 226 of the Constitution of India, the petitioner has alleged that his marks on the paper of Mathematics with the Roll No. 3230006 in both main examination and compartmental examination of Class XII in All India Senior School Certificate Examination (for short, 'AISSCE') conducted by Central Board of Secondary Education (for short, 'CBSE') in the year 2009 has not been correctly evaluated. Accordingly, he has prayed for the following reliefs:</p> <p>"Under the above facts and circumstances, it is, therefore, prayed that this Hon'ble Court to admit this petition and call for the records and issue Rule calling upon the Respondents to show cause as to why a writ of mandamus and appropriate writ/ order or direction may not be issued commanding and directing the Respondent authorities to</p> <p>i. Complete the verification process of the Mathematics paper of main examination of the Petitioner held on 21.03.2009 as well as the</p>





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		<p>verification process of the mathematics paper of compartmental examination of the Petitioner held on 18.07.2009 to be declared by the 15th of September, 2009.</p> <p>ii. Re-evaluate the answer script of mathematic of the Petitioner of the main examination held on 21.03.2009 as well as of the compartmental examination held on 18.07.2009 by some other duly qualified examiner, other than the one who had evaluated the mathematics papers earlier of the said examination and the result of those evaluations to be declared by the month of the September, 2009;</p> <p>and after perusal of the records, causes shown if any and upon hearing the parties, may be pleased to make the Rule absolute and/or pass any other order/orders/directions as Your Lordships deem fit and proper for the ends of justice.”</p> <p>Against those allegations and those prayers made by the petitioner, the CBSE authorities/ respondents have submitted that counted affidavit wherein it has been clearly stated that all the grievances of the petitioner have been attended to and necessary steps have also taken in accordance with the Rules, Regulations and the Examination Bye-Laws.</p> <p>We have heard the arguments at length so advanced on behalf of the parties as well as closely perused the entire pleadings so exchanged by and between the parties.</p>



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	rsr/jks	<p>Having gone through the entire records as indicated above, we are of the considered view that the matter has been rendered infructuous.</p> <p>Accordingly, this writ petition stands dismissed as being infructuous.</p> <div><div> Judge.</div><div> Chief Justice.</div></div>	