

Board of Technical Education, U.P. and Others

Vs

Dhanwantri Kumar and Others

Civil Appeal No. 2305 of 1989

(Dr. T.K. Thommen, N.M. Kasliwal JJ)

26.10.1990

JUDGMENT

1. This appeal and the Special Leave Petitions arise from the judgments of the Allahabad High Court. The High Court quashed the order dated 30-9-1988 made by the Board of Technical Education (the appellant) cancelling the results of the examination taken by certain students who are respondents in these cases. The High Court found that the orders impugned before it were unsustainable for the reason that the students had not been given proper notices. The notices served on them were found by the High Court to be so vague that they could not have effectively defended themselves in the inquiry. In the absence of proper notices, the inquiry which was held was found by the High Court to be invalid for violation of the rule of natural justice. Accordingly, the High Court directed the appellant-Board to declare the results of the students who had filed the petitions in the High Court.

2. We have perused the records and heard counsel on both sides. On the peculiar facts and in the special circumstances of these cases, we are of the view that the High Court was justified in coming to the conclusion, which it did, that the notices served on the students were so vague and imprecise that they could not effectively defend themselves in the inquiry.

3. In the circumstances, we see no reason to interfere with the impugned orders. The appeal and the Special Leave Petitions are accordingly dismissed. We make no order as to costs. Appeal dismissed.

</html