

**HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT
JAIPUR**

S.B.Civil Writ Petition No. 6930 / 2008

Rajasthan Public Service Commission, Jaipur Road, Ajmer through
its Secretary.

----Petitioner

Versus

1. Shri Mahesh Kumar Kanwa s/o Shri Arjun Lal Kanwa, C/o
Shri Harphool Singh Kanwa, 5-D-4, Multistorey Flats, Gandhi
Jaipur (Rajasthan).

The Chief Information Commissioner, Rajasthan Information
Commission, HCM RIPA (OTS), JLN Marg, Jaipur.

----Respondents



For Petitioner(s) : Mr. S.N. Kumawat

JUSTICE DINESH MEHTA

Judgment

09/02/2017

(1) This writ petition is directed against the order passed by the Information Commissioner, Rajasthan, Jaipur whereby Commission has issued direction to provide photocopy of the answer sheet to the applicant-student.

(2) A Division Bench of this Court vide its order dated 08.07.2013 relying upon the judgment of Hon'ble Supreme Court in *Central Board of Secondary Education & Anr. Vs. Aditya Bandopadhyay & Ors.*, (2011) 8 SCC 497 and *Institute of Chartered Accountants of India Vs. Shaunak H.Satya & Ors.*, (2011) 8 SCC 781 has ruled that a student/incumbent is having right to have a certified copies of the answer books and a right to examine the same.

(3) In view of the law so laid down, this writ petition lacks

merit and the impugned order of the Information Commissioner deserve to be affirmed.

However, since a period of about 8 to 10 years has elapsed and the respondent-applicant might have lost his interest to have his answer sheet examined and/ or to have certified copy of the answer sheet, it is deemed appropriate and hence, ordered

that the student will be informed by the concerned institute/petitioner by way of a registered post at the address available with it, asking the respondent to have copy/answer sheet examined on a particular date, subject however, that the record pertaining to that year has not been weeded out and information as desired has not been supplied so far.

(4) With the above observations, the present writ petition is disposed of.

(DINESH MEHTA)J.

M.Meena
Jr.P.A./77

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