

Breaking: CLAT 2018- SC Suggests To Form Nodal Agency To Examine The Grievances Of Candidates, Asks NUALS To Reply

By: Mehal jain May 24, 2018 1:43 pm



Hearing the writ petitions seeking the quashing of CLAT-2018 and praying for a retest, the Supreme Court vacation bench of Justices A. M. Khanwilkar and Navin Sinha on Thursday suggested setting up of a nodal agency to examine the grievances of candidates on a case to case basis and offer redressal. The Bench asked Senior Advocate V.Giri and Advocate Karthik who appeared for National University of Advanced Legal Studies to reply tomorrow on this suggestion

The bench also restrained High Courts seized by similar matters from proceeding therewith.

The bench assured the petitioners, “whatever problems you have mentioned in your Representation shall be looked into on a case-to-case basis by some authority...if something remains, then we shall see...”

The bench required the respondents, including NUALS, Kochi (having conducted the CLAT this year) and its CLAT Core Committee to attempt to effect a feasible solution by Friday, failing which the bench “shall accommodate”.

When Senior Counsel V. Giri advanced that 54,464 candidates had taken the examination at 252 centres across 65 cities in India, the bench inquired, “forget these 7 petitioners, how do you resolve the problems pertaining to all the other cases...you have simply rejected their Representations...that is not enough...these are factual matters where facts have to be analysed and a report may be given...”

“When such a dispute arises, is there any inbuilt mechanism for redressal by some authority or forum? Can you provide one so that each case is examined and a solution effected if there is actually an issue?”, recommended the bench.

When the bench suggested that the same be attempted to be executed within one week, Mr. Giri cited feasibility concerns, the number of candidates being over 54,000. Thereupon, the bench noted, “there may be some committee for the candidates that have made a Representation...then we shall have the final call”

Agreeing that there should be a “better system” and asserting that the University is not in an adversarial position to any candidate, Mr. Giri submitted, “we have prepared an audit report of each aggrieved candidate...wherever there was a technical glitch or the system had locked out, extra time was allotted...”

Drawing the attention of the bench to the summary in respect of petitioner 1 Disha Panchal, he remarked, “she had taken 2 hours 26 minutes in writing the examination...the report even indicates such details as number of questions...”

When the counsel for the petitioners sought to indicate individual grievances, the bench observed, “now that we have the audit report as to how each petitioner operated the system, a redressal on a case to case basis will be given...”

The bench asked Mr. Giri to have a “wholesome, workable solution” by Friday, with Mr. Giri replying, “we are dealing with the 27 Representations...we will have a holistic solution for all 250 complaints... we will have to sit down and speak with all registrars...if not tomorrow, we will come up with a solution by Monday...”

Source : www.livelaw.in