

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11128 of 2026

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1. Sonu Kumar son of Sri Satyanarayan Paswan, resident of village- Bhikanpura, Post Office- Goraul, Police Station- Goraul, District - Vaishali.
 2. Krish Raj son of Lalan Kumar Singh, resident of village- Siraha, Police Station-Pakaridayal, District - East Champaran (Motihari).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna.
2. The Vice Chancellor B.U.H.S. (Bihar University of Health Science), Bihar, Patna.
3. The Registrar B.U.H.S. (Bihar University of Health Science), Bihar, Patna.
4. The Principal, Darbhanga Medical College and Hospital (D.M.C.H.), Darbhanga.
5. The Examination Controller B.U.H.S. (Bihar University of Health Science), Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Prateek Tandon, Adv. Mr. Dilip Tandon, Adv.
For the Respondent/s	:	Mr.Government Pleader (06)

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 20-08-2026

Learned Advocates for the respective parties are present.

2. The petitioners, after having been successfully qualified NEET Examination, allocated Darbhanga Medical College and Hospital, Darbhanga under the Bihar University of Health Sciences. Upon admitted in the MBBS course, the petitioners appeared in the First Professional MBBS Examination, 2024, conducted by the Bihar University of Health Sciences from 23.03.2026 to 01.04.2026. After publication of the examination result, the petitioners were shocked to find that



they had been awarded disproportionately low marks which, in the humble submission of the petitioners, did not correspond with their performance in the examination. The petitioners, in the aforesaid premise, filed an application under the Right to Information Act, 2005 and obtained certified copies of their evaluated answer scripts from the respondent University. Upon careful examination of answer scripts, the petitioners discovered glaring and patent errors in evaluation and several answers which had actually been attempted in full were erroneously recorded as “Not Attempted” and awarded zero marks.

3. Referring to the notification dated 13th October, 2023, Mr. Prateek Tandon, learned Advocate for the petitioners submitted that the first Statute of the Bihar University of Health Sciences, especially Clause 11(c) thereof, submitted that the Examination Board of the University is competent to order for re-evaluation of the answer books, if it is satisfied that the evaluation of the answer book has not been fairly done or evaluation has been done in violation of the provisions of the Statutes and Regulations.

4. In the light of the aforesaid Statute, the petitioners have also filed a detailed representation, copy of which is placed on record as Annexure-P-2 series. However, till date no decision



has been taken. Hence, the present writ petition.

5. Learned Advocates for the University and the State, in order to apprise this Court with regard to the factual and legal position, seek a short adjournment.

6. Having considered the nature of the grievance and the Statutes, especially Clause 11(c) thereof, which empowers the Examination Board of the University to re-evaluate the answer books, this Court deems it fit and proper to direct the Examination Controller, Bihar University of Health Sciences to consider the request of the petitioners for re-evaluation in terms of the aforementioned Clause and take appropriate decision.

7. It is made clear that the petitioners shall deposit the requisite fees as would be required for re-evaluation. It is expected that the entire exercise must be completed, preferably within a period of three weeks from the date of receipt/production of a copy of this order.

8. The writ petition stands disposed off with the aforesaid direction.

(Harish Kumar, J)

Anjani/-

AFR/NAFR	
CAV DATE	
Uploading Date	21.08.2026.
Transmission Date	

