



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT APPEAL NO. 2024 OF 2025 (EDN-RES)

BETWEEN:

RAJIV GANDHI UNIVERSITY OF
HEALTH SCIENCE, 4TH T BLOCK,
JAYANAGAR, BENGALURU - 560041
REP BY ITS REGISTRAR EVALUATION

...APPELLANT

(BY SRI. VIKRAM HUILGOL, SENIOR ADVOCATE A/W
SMT. KULKARNI MAMATA GURURAO, ADVOCATE)

AND:

DR. YOGITHA M.P.M
D/O M.P.M SHANMUKHAIAH
AGED 28 YEARS
R/O NO. 12/G, 4TH CROSS,
BEHIND GANGA SAW-MILLS
HONNALI, DAVANAGERE DIST-577217

...RESPONDENT

(BY SRI. ABHISHEK MALIPATIL, ADVOCATE A/W
MS. BHAVANA NAGANAGOUDA PATIL, ADVOCATE)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO CALL FOR RECORDS IN WP
33176/2025 AND SET ASIDE THE ORDER DATED 24/11/2025
PASSED BY LEARNED SINGLE JUDGE, BY ALLOWING THE
APPEAL, IN THE INTEREST OF JUSTICE.

THIS WRIT APPEAL, COMING ON FOR ORDERS, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:



CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL JUDGMENT

(PER: HON'BLE MRS. JUSTICE K.S. HEMALEKHA)

1. The appellant, Rajiv Gandhi University of Health Sciences [RGUHS], has assailed the impugned order dated 24.11.2025 passed by the learned Single Judge in W.P. No.33176/2025 (EDN-RES), whereby the appellant was directed to round off the marks secured by the respondent student in Theory Paper-I from 40.12 to 41 and in Theory Paper-II from 50.25 to 51, grant four grace marks in terms of the applicable notification, and consequently declare that the respondent-student has passed the M.D. (Ayurveda) final examination by issuing fresh marks card.

2. The only question that arises for consideration is:

"Whether the marks secured by the student in Theory Papers - I and II are liable to be rounded off to the next whole number in terms of the applicable Ordinance governing the evaluation of P.G. (Ayurveda) Examination?"

3. The respondent was enrolled in the Post Graduate (MD) Ayurveda Programme (RS3) at Government Ayurveda Medical College and Hospital, Mysuru for the Academic Year 2021-2022.



She appeared for the Final Year MD Ayurveda (Samhita and Siddhanta) examination conducted between 04.03.2025 and 12.03.2025.

4. The marks secured in the theory papers, as originally computed by RGUHS, are as under:

Papers	Marks Obtained	Rounded off by RGUHS
Theory Paper -I	40.12	40
Theory Paper - II	50.25	50
Theory Paper - III	51	51 (not rounded off)
Theory Paper - IV	52.75	53

5. The respondent was entitled for five grace marks. However, even after adding the grace marks, the total came to 199 marks (194 + 5), which fell short of the minimum passing mark of 200 (i.e., 50% of the total 400 marks). Accordingly, the RGUHS declared her result as 'fail' on 03.04.2025. Aggrieved by the declaration of her result as 'fail', the respondent approached this Court seeking the following reliefs:

“a) A writ in the nature of certiorari to quash the impugned Endorsement in No.RGUHSB/LEG/WP/249/2025 dated 10.10.2025 vide Annexure-‘N’ issued by the Respondent University;

b) A writ in the nature of mandamus, order or direction, directing the Respondent University to round off



Theory Paper-I at 40.12 to 41, Theory Paper-II at 50.25 to 51 and Theory Paper – IV at 52.75 to 53 in the examination of the discipline in MD Ayurveda Samhita & Siddhant [RS3] conducted on March 2025 and further pleased to directed to round off the total average marks to 200 instead of 196 out of 400 and declare the result of the petitioner as “ Pass” ;

c) A writ in the nature of mandamus, order or direction, directing the respondent University to consequent to declaring the result of the petitioner as pass, to issue fresh marked card;

d) Grant such other writs or orders or direction as this Hon’ble Court deems fit under the facts and circumstances of the case, in the interest of justice and equity.”

6. The learned Single Judge, following the decisions in **RGUHS Vs. Dr. B. Nagadivya and another¹** and **Dr. Haroon Adoni Vs. RGUHS²**, held that the regulatory provisions for rounding off marks must be applied as "positive rounding off", i.e., always rounding off upwards to the next higher integer where there is a fraction and never rounding downwards. The Court held as under:

Papers	Marks Obtained	Court's Direction
Theory Paper -I	40.12	41
Theory Paper - II	50.25	51
Theory Paper - III	51	51 (No round off needed)
Theory Paper - IV	52.75	53 (already rounded off by RGUHS)
	Total	196 + 4 (grace marks) = 200

¹ R.P. No.384/2021 in W.P. No.17479/2021 D.D. 08.03.2022

² W.P. No.4448/2023 (EDN-RES) D.D. 11.04.2023



7. Out of permissible five grace marks, only four grace marks were required to be added, since the subtotal of 196 required only four additional marks to reach the minimum passing threshold of 200.

8. At the outset, it is not in dispute that the respondent student secured 40.12 marks in Theory Paper-I, 50.25 marks in Theory Paper-II, 51 marks in Theory Paper-III and 52.75 marks in Theory Paper-IV. The appellant-University rounded off the marks in Theory Paper-IV to 53. But rounded down the marks in Theory Papers-I and II to 40 and 50 respectively. Consequently, the respondent secured an aggregate of 194 marks and was declared unsuccessful.

9. During the course of hearing, the learned Senior Counsel appearing for the appellant fairly submitted that in terms of the Notification dated 18.07.2016, a candidate who, upon the addition of 1% grace marks in the theory component, becomes eligible to pass, is entitled to such grace marks.

10. In the present case, the theory component consists of four papers carrying 400 marks each, and therefore, the respondent



would be entitled to grace marks, provided her aggregate reaches 196 marks.

11. The dispute, therefore, narrows down to the interpretation of the expression contained in Regulation 3 (b) of the Ordinance governing the P.G. (Ayurveda) Evaluation, which reads as under:

"3.1 Clause 3(b) of the Revised Ordinance provides:

"All answer scripts of Final Year Post-graduate will be subjected to Digital evaluation as prescribed by RGHHS. The average of total marks awarded by four valuers for the paper, **which is rounded off to the nearest value**, shall be considered for computation of the results."

(Emphasis supplied)

12. Thus, the average marks awarded by the valuator shall be "rounded off to the nearest value".

13. It is also to be stated here that the very expression employed in the present Ordinance is identical to the expression contained in the earlier Ordinance dated 29.03.2019. At the outset, it would be apposite to note that the issue regarding "rounding off" of fractional marks obtained by the post graduate medical students is no longer *res integra*. Several students, who had failed by a marginal fraction of marks, had approached this Court seeking the benefit of



rounding off under the Ordinance framed by the Rajiv Gandhi University of Health Sciences.

14. In **Dr. Guruprasad Vs. Rajiv Gandhi University of Health Science³**, the petitioner had failed by a fraction of marks, having secured 49.75% as against the prescribed 50%. The Ordinance governing Post Graduate evaluation, particularly Paragraph 5 (I) (b), provides that the average of the best four total marks awarded by the five evaluators, which is "rounded-off to the nearest value", shall be considered for computation of the final result. Interpreting the said provision, the learned Single Judge directed that the marks be rounded off, thereby declaring the petitioner successful.

15. Similarly in **Dr. B. Nagadivya Vs. Rajiv Gandhi University of Health Sciences⁴**, the issue once again arose with regard to "rounding off" of fractional marks. Placing reliance upon the earlier decisions in **Dr. Guruprasad (supra)**, **Dr. M. D. Golap Hussain Vs. Rajiv Gandhi University of Health Sciences and another⁵** and **Sri Neelesh Mehta Vs. Rajiv Gandhi University of Health**

³ W.P. No.11348/2020 (EDN-RES) D.D. 20.10.2020

⁴ W.P. No.17479/2021 (EDN-RES) D.D. 30.09.2021

⁵ W.P. No.10365/2020 (EDN-RES) D.D. 13.11.2020



Sciences and another⁶, the learned Single Judge held that the marks secured by the student could not be reduced by ignoring the fractional component and directed that the marks be rounded off to the next whole number.

16. The University sought review of the said order in R.P. No.384/2021 in W.P. No.17479/2021, contending that Paragraph 5 (l) (b) of the Ordinance dated 29.03.2019 merely contemplated rounding off to the nearest value and did not envisage upward rounding. The review petition came to be dismissed. While doing so, this Court observed that the benefit already extended to similarly situated students could not be denied to the respondent therein.

17. Applying the golden rule of interpretation, this Court held that the expression "rounded off to the nearest value" occurring in the Ordinance must receive a beneficial construction. The Court reasoned that fractional marks legitimately earned by a student constitute a vital part of the student's performance and cannot be taken away by reducing the value to a lower integer. Thus, where a student had secured 50.25 marks, the same could not be reduced

⁶ W.P. No.818/2021 & C/W W.P. No.781/2021 D.D. 03.02.2021



to 50 merely on the basis of ordinary arithmetic. On the contrary, such marks were required to be rounded off to the nearest higher integer, namely 51. Consequently, the aggregate was recalculated and the student was declared to have passed.

18. The same principle was reiterated in **Dr. Haroon Adoni** (*supra*) wherein the petitioner, pursuing the discipline of MD Pathology, had secured 49.25%, which had been reduced to 49% by the University. Following the earlier decisions, the learned Single Judge held that the expression "rounded off to the nearest value" requires positive upward rounding and that fractional marks legitimately secured by the student cannot be ignored.

19. The judgment of the learned Single Judge in **Dr. Haroon Adoni** (*supra*) was carried in appeal in W.A. No.909/2023. The Division Bench dismissed the appeal and affirmed the interpretation adopted by the learned Single Judge. Thus, the law declared by the Co-Ordinate Bench is that the expression "rounded off to the nearest value", occurring in the Ordinance mandates positive upward rounding for the benefit of deserving students.



20. It is not disputed before us that the appellant-University has implemented the aforesaid judgment and extended the benefit of such interpretation to several similarly situated postgraduate students. Once the interpretation of the very same expression occurring in the Ordinance has been settled and consistently acted upon by the University itself, there exists no justifiable basis to deny the respondent the very same benefit.

21. In the present case, the respondent secured 40.12 marks in Theory Paper-I and 50.25 in Theory Paper-II. Applying the principles as laid down in **Dr. Haroon Adoni** (*supra*) and affirmed in W.A. No.909/2023 and **Dr. B. Nagadivya** (*supra*), the marks are liable to be rounded off to 41 and 51 respectively. The Theory Paper-III remains at 51, while Theory Paper-IV has already been rounded off by the appellant-University to 53. Consequently, the respondent secures an aggregate marks of 196 marks.

22. The learned senior counsel appearing for the appellant fairly submitted that in terms of the Notification dated 18.07.2016, where a candidate on addition of 1% grace marks in the theory component, such grace marks are to be liable to be awarded.



23. Since the respondent secures 196 marks upon proper rounding off, the addition of four grace marks results in an aggregate of 200 marks out of 400, thereby satisfying the prescribed requirement of 50% aggregate in the theory component.

24. In view of the above, we find no infirmity in the order passed by the learned Single Judge and no ground is made out warranting any interference with the impugned order. Accordingly, the writ appeal is hereby dismissed.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(K.S. HEMALEKHA)
JUDGE**