

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.2166 of 2014

IN

Civil Writ Jurisdiction Case No. 16840 of 2008

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Kumar Rohit, Son of Chandra Bhushan Prasad Singh, resident of Mohalla - Thana Chowk, Madhubani, P.S. - K.Hat, District - Purnea.

.... Petitioner

Versus

1. The B.N. Mandal University, Laloo Nagar, Madhepura through its Registrar, namely, Sri Kumaresh Prasad Singh.
2. The Vice Chancellor, B.N. Mandal University, Laloo Nagar, Madhepura, namely, Dr. Binod Kumar.
3. The Registrar, B.N. Mandal University, Laloo Nagar, Madhepura, namely Sri Kumaresh Prasad Singh.
4. The Examination Controller, B.N. Mandal University, Laloo Nagar, Madhepura, namely, Dr. Navin Kumar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr.

For the Opposite Parties : Mr.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

ORAL JUDGMENT

Date: 08-04-2015

In the light of the order of this Court dated 25.03.2015, counsel for B.N. Mandal University Sri Raju Giri has obtained instruction from Registrar of the University and states that compliance of the order of the High Court dated 05.08.2009 passed in C.W.J.C. No. 16840 of 2008 directing the University to re-total the marks of the petitioner of VIIIth paper of B.C.A. Part-II Examination, 2005 for which he has deposited Challan No. 01 dated 26.06.2006 is not possible

as the answer-sheet of the VIIIth paper has been destroyed in the 2007 floods.

Once the answer-sheets have been destroyed, re-totaling, even if permissible under the examination regulation, cannot be allowed, as such, the prayer to initiate a proceeding for contempt for not complying the aforesaid direction is disposed of observing that petitioner would be well advised to apply for damages in accordance with law.

(V.N. Sinha, J)

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