

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20913 of 2018

Nilophar Bano, wife of Md. Imran, Resident of 27, Hussain Bakhsh Lane,
Jagdispur, P.S. Kotwali, Distt. Bhagalpur.

... .. Petitioner/s

Versus

1. The Tilka Manjhi Bhagalpur University through its Registrar
2. The Vice- Chancellor, Tilka Manjhi Bhagalpur university, Bhagalpur
3. The Registrar, Tika Manjhi Bhaglpur University, Bhagalpur
4. The Examination Controller, Tilka Mnjhi Bhagalpur University, Bhagalpur
5. The Principal, T.N.B. Law College, Bhagalpur

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Respondent/s : Mr. Ashhar Mustafa, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 23-08-2019 The grievance of the petitioner in the present writ application is non-publication of the final result of LL.B. examination of the petitioner.

Learned counsel for the petitioner submits that after scrutiny, the University allowed the petitioner to appear in Part-I, II and III LL.B examination and the petitioner appeared in the examination and cleared the same. He submits that now the University is taking plea of contrary to the examination regulation.

The issue raised in the present writ application is squarely covered by the judgment of the Apex Court in the case of **Shri Krishna vs The Kurukshetra University**, reported in



AIR 1976 SC 376 where the Apex Court has occasion to discuss that where with open eye allowed by the University, they are estopped from taking the plea of breach of regulation. In the instant case also, the scrutiny was done with open eye by TMB University and as such it does not lie in the mouth of the University to find fault with the petitioner, as the petitioner application was duly scrutinized by the University and thereafter the petitioner was allowed to appear at the examination and the petitioner cleared the examination of Part-I, II and III of LL.B.

Considering the judgment of the Apex Court mentioned herein above, the writ application is allowed. The University is directed to publish the result of LL.B. of the petitioner at the earliest preferably within a period of 45 days from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands allowed.

(Anil Kumar Upadhyay, J)

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