

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17924 of 2019

Monika Raj D/o Shashi Prasad Singh Resident of Mourya Zubleee Place,
Jharkhuria, Bahadurpur, Police Station- Zero Mile, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The Vice Chancellor, Magadh University Bodh Gaya, Gaya.
2. The Registrar Magadh University, Bodh Gaya, Gaya.
3. The Controller of Examination Magadh University, Bodh Gaya, Gaya.
4. The Head of the Department of English College of Commerce, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajib Ranjan Jha, Advocate
For the Respondent/s	:	Mr. Syed Firoz Raza, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the respondent.

The grievance of the petitioner in the present writ application is non-publication of the final result after adding marks obtained in 1st Semester.

Learned counsel for the petitioner submits that the petitioner appeared in the Examination and cleared the same, but University is not issuing Marks Sheet and Certificate of passing. Learned counsel appearing for the University would submit that although the petitioner has cleared the examination but the petitioner was not entitled to appear in the examination as it would be against the Examination Regulation.



The objection raised by the University is thoroughly misconceived. The University has accepted the fee and form of the petitioner and allowed the petitioner to appear in the Examination. The University cannot be allowed to raise any objection as to appearance in the Examination.

The issue involved in the present writ application is covered by the judgement of the Apex Court in the case of Sri Krishna Vs. Kurukshetra University reported in AIR 1976, S.C. page 376. In view of the authoritative pronouncements of the Apex Court in Kurukshetra University case (supra), the writ petition stands allowed. Respondent University is directed to publish the final result of the petitioner forthwith as the University cannot raise such objection after allowing the petitioner to appear in the Examination. Necessary corrective measures shall be taken by the respondent University at the earliest, preferably within a period of 30 days from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

uma/-

U			
---	--	--	--

