

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1474 of 2019

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Usha Kumari W/o- Kundan Prasad, D/o- Rameshwar Prasad Singh Resident
of Rukimini Sadan, Ramkrishna Nagar, Lalu Path (Near New Bypass Road),
P.O.- New Jaganpura, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Education.
2. The B.R. Ambedkar Bihar University, Muzaffarpur through its Vice-Chancellor.
3. The Vice- Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur.
4. The Registrar, B.R. Ambedkar Bihar University, Muzaffarpur.
5. The Assistant Registrar, B.R. Ambedkar Bihar University, Muzaffarpur.
6. The Principal, Rajkiya Shree Yatindra Narayan Asthang Ayurvedic, Mahavidyalay, Champa Nagar, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Respondent/s : Mr.Ashutosh Ranjan Pandey (AAG-15)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 18-10-2019 Heard learned counsel for the petitioner and the

State.

The petitioner has filed the present writ petition

for a direction to the respondents to allot 13 additional marks in

the subject Ras Shastra and Bhaisrajya Kalpana in BAMS

examination held in the year 2000.

Granting grace marks under the Examination

Regulation is in the domain of the University and the Court is

not the appropriate forum for deciding such issue. If the

Regulation permits grant of such grace marks, the University is



expected to take recourse to the Regulation. In a given situation, if others have been granted grace marks and the petitioner has been discriminated, in that situation the petitioner is required to approach the University as the University cannot make pick and choose in the matter of grant of grace marks.

In the totality of the fact situation, the writ petition is disposed of with a direction to the University to examine the claim of the petitioner and if similarly circumstanced others have been granted the benefit in the concerned academic session the same treatment should be extended to this petitioner also. Necessary decision in this regard must be taken by the respondents within a maximum period of three months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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