

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8333 of 2020

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Mayank Asmit, Gender-Male, aged about 32 years, Son of Dr. Ashok Kumar Sinha Resident of Flat No. 301, Suraj Narayan Complex, Road No.1, Rajendra Nagar, Patna- 800016, PO and PS- Kadam Kuan, District- Patna.

... .. Petitioner

Versus

1. The Aryabhatta Knowledge University through its Vice Chancellor, Gyan Parisar, Mithapur, Patna- 800001.
2. The Vice Chancellor, Aryabhatta Knowledge University, Gyan Parisar, Mithapur, Patna- 800001.
3. The Registrar, Aryabhatta Knowledge University, Gyan Parisar, Mithapur, Patna- 800001.
4. The Controller of Examination, Aryabhatta Knowledge University, Gyan Parisar, Mithapur, Patna- 800001.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Akashdeep, Advocate
For the Respondents : Mr.Awadhesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 15-03-2021 Heard learned counsel appearing on behalf of the petitioner as well as learned counsel appearing of the respondent-Aryabhatta Knowledge University.

By order dated 08.03.2021 passed in CWJC No. 8457 of 2020, this Court has noted the submission of learned counsel for the petitioner that the petitioner is ready to deposit Rs.50,000/- (Rupees fifty thousand) before the Vice Chancellor, Aryabhatta Knowledge University so that the answer script may be re-evaluated by the Subject Expert of All



India Institute of Medical Science, New Delhi although Mr. Awadhesh Kumar, learned counsel for the respondent-Aryabhata Knowledge University, submits that the petitioner has been declared pass on the official website but subsequently the same has been changed in Theory Paper No.1.

Having regard to the fact that the petitioner is ready to tender Rs.50,000/- as cost for re-evaluation of answer sheet of Theory Paper 1 of M.S. (General Surgery), the Court directs the petitioner to deposit Rs.50,000/- within one week from today before the Vice Chancellor, Aryabhata Knowledge University who shall request the Director, All India Institute of Medical Science, New Delhi for re-evaluation of the answer script of the petitioner in Theory Paper 1 of M.S. (General Surgery). In the event, after re-evaluation of the answer sheet, the petitioner has obtained higher marks in the re-evaluation declaring him as pass, the petitioner shall be entitled to publication of the result on the basis of re-evaluation of Theory Paper 1 of M.S. (General Surgery) and the cost of re-valuation i.e. Rs.50,000/- (Rupees fifty thousand) shall be refunded to the petitioner.

The Court hope and trust that the Director, All Institute of Medical Science, New Delhi will provide full cooperation to this Court in the process of re-evaluation of the



answer script at the request of the Vice Chancellor, Aryabhata
Knowledge University in the ends of justice.

With the aforesaid, the present writ application stands
disposed of.

(Anil Kumar Upadhyay, J)

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