

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8457 of 2020

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Deepali, aged about 34 years, Female, Daughter of Sri Sheo Shankar Prasad Singh, resident of House No.A/3, Indu Niwas, Krishi Nagar, A.G. Colony, Main Road, P.S.- Shastri Nagar, District- Patna, Bihar

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna
2. The Principal, Patna Medical College Hospital, Patna
3. The Vice Chancellor, Aryabhatt Knowledge University, Patna
4. The Controller of Examination, Aryabhata Knowledge University, Patna

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Prabhat Ranjan, Advocate
For the Respondents	:	Mr. Lalit Kishore (AG)
For the University	:	Mr. Awadhesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 08-03-2021 Heard learned counsel appearing on behalf of the petitioner, learned counsel appearing on behalf of the State as well as learned counsel appearing of the respondent-Aryabhata Knowledge University.

Mr. Awadhesh Kumar, with reference to the supplementary counter affidavit filed on behalf of respondent-Aryabhata Knowledge University, submits that the University is agreeable to the proposal for re-valuation by the Subject Expert of All India Institute of Medical Science, New Delhi in terms of the order dated 24th of February, 2021.

Considering the stand taken in the supplementary



counter affidavit, the writ application is disposed of with a direction to the petitioner to deposit Rs. 50,000/-(Rupees fifty thousand) before the Vice Chancellor, Aryabhatta Knowledge University, who shall stake steps for re-valuation of answer script by the Subject Expert of All India Institute of Medical Science, New Delhi.

Since the petitioner has passed in the subsequent examination, the only issue is to be decided that if the petitioner is declared successful in the re-evaluation then the disqualification attached to her academic career will disappear.

In the aforesaid circumstances, the Vice Chancellor of the Aryabhatta Knowledge University (respondent no. 3) is requested to see that the re-valuation of the answer script be done at the earliest after deposit of Rs.50, 000/-. In the event the petitioner is declared successful in the re-evaluation , the cost of re-valuation i.e. Rs.50,000/- (Rupees fifty thousand) shall be refunded to the petitioner.

The Court expects that the Director, All Institute of Medical Science, New Delhi will provide full assistance to this Court by ensuring re-evaluation of the answer script at the request of the Vice Chancellor, Aryabhatta Knowledge University.



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

(Anil Kumar Upadhyay, J)

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