

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 527 of 2015

Miss. Banya Jal ***Appellant***

M/s. Manas Chand, Advocate & Associates

-versus-

Principal, SCB Dental College & Hospital, Cuttack and another ***Respondents***

Mr. Dayananda Mohapatra, Advocate for Respondent No.2

**CORAM:
THE CHIEF JUSTICE
JUSTICE M.S. RAMAN**

**ORDER
16.11.2022**

Order No.

08.

1. It is stated that Mr. Budhadev Routray, learned Senior Advocate is no longer appearing for the Appellant in this case.

2. Mr. Manas Chand, Advocate and Associates are now appearing for the Appellant and their Vakalatnama is taken on record.

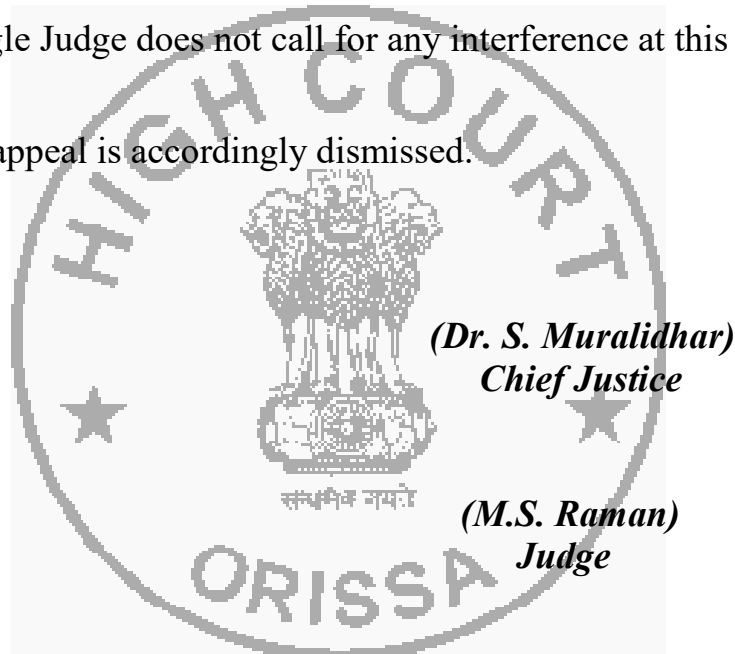
3. The issue before the learned Single Judge concerned the prayer of the Appellant for re-evaluation of her answer scrips in two papers, i.e., the Orthodontics Paper-B and the Oral Maxillofacial Surgery Papers A and B of the BDS Final Year Examination, 2012.

4. It was noted in the impugned order dated 28th July, 2015 of the learned Single Judge that in the subsequent year, the Appellant had appeared in the examination, passed the same and received the

certificate. In those circumstances, it was observed “therefore, any action now taken will amount to futile exercise and would be purely an academic one.”

5. Moreover, it appears that the answer scripts were not even preserved. We are now in 2022, whereas the examination was of 2012. With the Appellant already having passed the examination in the subsequent year and also having obtained the certificate, the issue has indeed become academic. The impugned order of the learned Single Judge does not call for any interference at this stage.

6. The writ appeal is accordingly dismissed.



S. Behera