

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 18074 of 2015

Jyotibikash Dash

.....

Petitioner

Mr. S.K. Das, Advocate

Vs.

**Biju Pattnaik University of
Technology, Odidha & Ors.**

.....

Opposite parties

*Mr. S.J. Mohanty, Advocate
(O.Ps.1 & 2)*

CORAM:

**DR. JUSTICE B.R. SARANGI
MISS JUSTICE SAVITRI RATHO**

**ORDER
05.04.2022**

**Order No.
04**

This matter is taken up through hybrid mode.

2. Heard Mr. N. Jena, learned counsel appearing on behalf of Mr. S.K. Das, learned counsel for the petitioner and Mr. S.J. Mohanty, learned counsel appearing for the BPUT-opposite parties no.1 & 2.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to issue MBA final grade/mark sheet, pass certificate and conduct certificate in his favour.

4. Mr. N. Jena, learned counsel for the petitioner contended that though the petitioner appeared in the final examination, he has not been granted with MBA final grade/mark sheet, pass certificate and conduct certificate. Therefore, he has approached this Court by filing this writ petition.

5. Mr. S.J. Mohanty, learned counsel appearing for the BPUT-opposite parties no.1 & 2, on having received instructions, contended that the petitioner was failed in one subject of MBA course. Therefore, he has not been issued with MBA final grade certificate.

6. Having heard learned counsel for the parties and after going through the records, it appears that the writ petition was filed on 01.10.2015 and notice was issued to the opposite parties on 04.11.2015. Thereafter, time was granted at the instance of the opposite parties to file counter affidavit. But till date, no counter affidavit has been filed. Be that as it may, now it is stated by learned counsel for opposite parties no.1 and 2, the basis of instructions received, that the petitioner was failed in one subject and therefore, final MBA grade certificate has not been issued him.

7. In view of such position, this Court directs opposite parties no.1 & 2 to communicate the petitioner about the reason for non-granting of MBA final grade/mark sheet in his favour. As such, basing upon the delay caused at the end of opposite parties no.1 & 2 due to non-communication of the result, the petitioner may be permitted to appear in the examination, even if any short-fall is there.

8. With the above observation & direction, the writ petition stands disposed of.

(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE