

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14394 of 2021

Abhishek Mohanthy and another Petitioners

Mr. Ranjit Mohanty, Advocate

-versus-

***Vice Chancellor, VSS University of Opposite Parties
Technology, Burla and others***

Mr. Sanjeev Udgate, Advocate

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

29.8.2022.

I.A. No.11174 of 2022

Order No.

- 13.
1. This matter is taken up through hybrid mode.
 2. Heard learned counsel for the Petitioners and learned counsel appearing for the Opposite Parties.
 3. Learned counsel for the Petitioners files an objection to the I.A. filed by Opposite Parties 1 to 5. The same be kept on record.
 4. This I.A. has been filed seeking clarification of the order dated 3rd August, 2022 passed by this Court in disposing of the Writ Petition. Mr. Udgate, learned counsel appearing for the

University, submits that the direction of this Court is to declare the result of the Petitioners on the basis of the marks already secured by them. However, there is no direction to consider the Resolution of the Academic Council, which is the highest body of the University. Mr. Udgata therefore, submits that the order needs to be modified only to the extent of observing that the Resolution of the Academic Council should also be taken into consideration along with the marks already secured by the Petitioner.

5. Mr. Ranjit Mohanty, learned counsel for the Petitioners, has filed an objection to the I.A. He submits that some of the Members of the Academic Council were present and had evaluated the papers submitted by the Petitioners and had also awarded marks which have not been taken into consideration. According to Mr. Mohanty, the so called report of the Academic Council showing presence of all the members is not an acceptable document as it was done surreptitiously.

6. Considering the submissions and the fact that the matter has already been disposed of after hearing parties at length, this Court is not inclined to enter into the factual controversy any more. However, there appears to be some force in the submission of Mr. Udgata that the Resolution of the Academic Council should also be considered along with the marks secured by the Petitioners while publishing their results. The

order dated 3rd August, 2022 is hereby modified only to the extent of adding the following at the end of the paragraph-6:-

“Further, Resolution of the Academic Council of the University enclosed as Annexure-C/3 to the counter shall also be considered while publishing the results”.

7. The I.A. stands disposed of.

8. Urgent certified copy of this order be granted on proper application.

AKB



(Sashikanta Mishra)
Judge