

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4023 of 2014

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Sunita Kumari, daughter of Sri Ram Naresh Choudhary, Resident of Shoubhagya Sharma Path, Rukunpura, P.O.-B.V. College & P.S.-Rupaspur, Bailey Road, Patna.

... .. Petitioner

Versus

1. The Nalanda Open University, 2nd/3rd Floor, Biscomaun Bhawan, West Gandhi Maidan, Patna-800001 (Bihar) through its Vice Chancellor.
2. The Vice Chancellor, Nalanda Open University, 2nd/3rd Floor, Biscomaun Bhawan, West Gandhi Maidan, Patna-800001 (Bihar).
3. The Registrar, Nalanda Open University, 2nd/3rd Floor, Biscomaun Bhawan, West Gandhi Maidan, Patna-800001 (Bihar).

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Binod Kumar Singh, Advocate
For the University	:	Dr. Anand Kumar, Advocate
		Mr. Ramesh Gupta, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 08-08-2023 Heard learned counsel for the petitioner and learned counsel for the Nalanda Open University (hereinafter referred to as the 'University').

2. This writ application has been filed as back as in the year 2014 for a direction to the respondent University to award marks to the petitioner in Papers IX and XV on the basis of the answer given by her in those assignments papers. The petitioner has questioned the 'zero marks' awarded to her in these two assignment papers.

3. From the facts narrated in the writ application, it appears that the petitioner had taken M.A. Mass Communication and Journalism Part-II Examination in the University for the



Session 2008-2010. She sat in Part-II examination in the year 2012 only in which she was awarded 'zero marks'.

4. Learned counsel for the petitioner has raised an issue that perhaps the discrepancy has occurred because of some misunderstanding over the old course and new course. The petitioner had submitted her assignments in the new course.

5. On the previous date, this Court adjourned the matter on the request of learned counsel for the University to enable him to discuss the matter with the Vice Chancellor and the Registrar of the University to dissolve the issue and file an affidavit.

6. Accordingly, a counter affidavit has been filed wherein it is stated in paragraph '7' that the marks foil for tabulator-I and II in connection with Annual Exam, 2012 for the subject of Master of Arts, Part-II (M.A. J.M.C.) has been verified from the original records of the University and it has been found that the petitioner has been awarded 'zero marks' in the assignment due to wrong answers given by her. The tabulation sheet has been brought on the record as Annexure 'A' to the counter affidavit.

7. Learned counsel for the University submits that under such circumstance, the University has rightly awarded



‘zero marks’, however, to satisfy the petitioner, the Registrar of the University is willing to give her an audience.

8. In view of the stand taken by the University, this Court finds no reason to proceed with this writ application any more. It is being disposed of with liberty to the petitioner to visit the office of the Registrar of the University within four weeks from today.

9. Learned counsel for the University has assured that the Registrar of the University shall meet the petitioner and give her an audience to satisfy her queries, if any.

(Rajeev Ranjan Prasad, J)

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