

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.339 of 2023
In
Civil Writ Jurisdiction Case No.1442 of 2022

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1. Sudarshan Mishra Son of Late Hareram Mishra, resident of village/mohalla - B/15, Vivek Vihar Colony via Sonu Market Gola Road, District - Patna, Bihar.
 2. Ankur Kumar Singh, Son of Sanjeev Kumar Singh, resident of near Brahma Asthan, Ward no. 15, Ghoshwar, Vaishali, Bihar.

... .. Appellant/s

Versus

1. The Magadh University through its Vice Chancellor, Bodh Gaya, Gaya.
2. The Vice Chancellor, Magadh University, Bodh Gaya, Gaya.
3. The Registrar, Magadh University, Bodh Gaya, Gaya.
4. The Examination Controller, Magadh University, Bodh Gaya, Gaya.
5. Dr. B.R. Ambedkar Institute of Dental Science and Hospital, through its Chairman, Ram Jaipal Nagar (Hariom Nagar), New Bailey Road, Patna - 801503.
6. The Chairman, Dr. B.R. Ambedkar Institute of Dental Science and Hospital, Ram Jaipal Nagar (Hariom Nagar), New Bailey Road, Patna.
7. The Director, Dr. B.R. Ambedkar Institute of Dental Science and Hospital, Ram Jaipal Nagar (Hariom Nagar), New Bailey Road, Patna - 801503.
8. The Principal, Dr. B.R. Ambedkar Institute of Dental Science and Hospital, Ram Jaipal Nagar (Hariom Nagar), New Bailey Road, Patna - 801503.
9. Dental Council of India, through its Secretary, Aiwan-e-Galib Marg, Kotla Road, Temple Lane, New Delhi, Delhi - 110002.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Avinash Kumar Singh, Advocate
For the Magadh Uni.	:	Mr. Pankaj Kumar Singh, Advocate
For the Resp. Nos. 5-8	:	Mr. P.N.Shahi, Sr. Advocate
		Mr. Sanjeev Kumar, Advocate
For the Resp. Nos. 9	:	Mr. S.D.Sanjay, Sr. Advocate
		Mr. Ajay, Advocate
		Mr. Siddhartha Prasad, Advocate
		Mr. Pankaj Kumar Singh, Advocate
		Mr. Anjani Kumar Jha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)



18 27-06-2024

The writ petition was filed with prayers to supply the copies of the attendance sheets of practical and *viva-voce* examination and the tabulation of the published result with further reasons to justify the denial of publication of results. The learned Single Judge refused to consider the prayers especially noticing that all the prayers could be sought for under the Right to Information Act, 2005. The writ petition was closed with a cost of Rs.20,000/-.

2. The learned counsel for the appellant before us submitted that during the pendency of the appeal, the College has been closed down due to withdrawal of recognition and the petitioners have filed an Interlocutory Application for handing over the certificates submitted before the College. This is a separate cause of action, not at all related to the prayers made in the writ petition. It is a totally different cause of action and we leave liberty for the petitioner to challenge the same in appropriate writ proceedings. However, noticing the fact that petitioners' students have been put to enough trouble because of withdrawal of the recognition, we deem it appropriate to set aside the cost awarded on the petitioners.



3. The appeal is partly allowed deleting the costs
and reserving the liberty as observed.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

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