

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2039 of 2026

Mukesh Kumar Son of Parash Nath Singh @ Paras Nath Singh, Resident of House No. - 214, Ward No. -19, Gawai Muhalla, Bhabua, P.S.-Bhabua Town, District-Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Health, Government of Bihar, New Secretariat, Patna.
2. The Additional Chief Secretary, Department of Health, Government of Bihar, New Secretariat, Patna.
3. The Aryabhatta Knowledge University through its Registrar, Gyan Parishar, Mithapur, Patna.
4. The Vice Chancellor, Aryabhatta Knowledge University, Gyan Parishar, Mithapur, Patna.
5. The Registrar, Aryabhatta Knowledge University, Gyan Parishar, Mithapur, Patna.
6. The Controller of Examination, Aryabhatta Knowledge University, Gyan Parishar, Mithapur, Patna.
7. The Principal, Nalanda Medical College, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shivam, Adv.
For the State	:	AC to AAG-4
For the University	:	Mr. Rana Vikram Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 30-03-2026 Heard the parties.

2. With the consent of the parties the present writ application is disposed of at this stage itself.

3. The petitioner has prayed for the grant of following reliefs:

“1. For commanding the Respondent University/Vice Chancellor of the Respondent University to issue an order for Re-evaluation/Re-checking the answer script of the Regular Exam of the



petitioner in Paper I & II in the Medicine Subject of the 3rd professional MBBS Part-2 Examination 2024 conducted in April, 2025 in which the petitioner has obtained 199 marks in place of 200 for being declared pass.

II. For commanding the Respondent to permit the petitioner to pursue his M.B.B.S course till the Re-evaluation/Re-checking is done by the Respondent University or till pendency of the present writ application.

III. For grant of any other relief/reliefs to which the petitioner may be found entitled to considering the facts and circumstances of the present case.”

4. Shorn off unnecessary details, it is the case of the petitioner that the petitioner on being successful in NEET Examination was allocated Nalanda Medical College, Patna and took admission for the Session commencing from 2018-19. The petitioner started his course and is currently in the final year of his course wherein the 3rd professional MBBS Part-II Examination, 2024 was conducted in April 2025 by Aryahatta Knowledge University, Patna, but unfortunately the petitioner was declared unsuccessful in Medicine Paper-I & II as he has secured 199 mark instead of 200 in order to clear the said paper. The petitioner again appeared in Medicine Paper-I & II in 3rd professional MBBS, Part-II Medicine Paper Examination, 2024 (supplementary) which was conducted 31.10.2025 and



03.11.2025 but was again declared unsuccessful in the said subject as he had obtained an aggregate of 162 marks instead of 200. The petitioner submits that the petitioner deposited the requisite fee on 05.07.2025 in the University for scrutiny of his marks in Medicine subject of 3rd professional MBBS, Part-II Examination, 2024 but the petitioner could not succeed since the scrutiny is conducted only for verifying any mistake that has been committed while calculating the marks and /or for any marks not been given in any question due to mistake.

5. It is submitted by learned counsel for the petitioner that as per Rule mentioned under section 21 (d) of chapter I of the statutes of the Respondent University, the Vice Chancellor is the competent authority to order for any re-evaluation of the answer script. The petitioner has already submitted detailed representations for re-evaluation of the answer script on 08.07.2025 and 09.01.2026 (Annexure-P/5 & P/6 respectively) before the respondent Vice-chancellor, Aryabhatta Knowledge University, Patna, but no action has been taken by the University on those representations.

6. Learned counsel for the petitioner, therefore, submits that the petitioner would be satisfied if the Vice-chancellor of the respondent University is directed to consider



the representation of the petitioner dated 09.01.2026 (Annexure-P/6) for re-evaluation of the answer script.

7. Learned counsel appearing for respondent University i.e. Aryabhatta Knowledge University, Patna submits that the submission made by learned counsel for the petitioner can only be considered if the petitioner is ready to deposit re-evaluation fee of Rs.50,000/-, in terms of Notification No.1697 dated 11.04.2025.

8. To this submission made by learned counsel appearing for respondent University, learned counsel appearing for the petitioner accepts to deposit Rs.50,000/- as re-evaluation fee.

9. Learned counsel for the petitioner further submits that similar order has also been passed by a coordinate Bench of this Court vide order dated 23.12.2025 passed in C.W.J.C. No. No.19125 of 2025 (Annexure-P/7) and accordingly this writ application may be disposed of in terms of the said order.

10. Learned counsel appearing for respondent University has no objection to the same subject to that the petitioner deposit Rs.50,000/- by way of re-evaluation fee.

11. Considering the submissions made by both the parties, it is considered appropriate to direct the Vice-Chancellor of



Aryabhatta Knowledge University, Patna to consider the representation of the petitioner dated 09.01.2026 (Annexure-P/6) for re-evaluation of the answer script, subject to deposit of Rs.50,000/- within a period of three weeks from today before the Vice-chancellor of the University.

12. In case the requisite fee is deposited before the Vice-Chancellor of Aryabhatta Knowledge University, Patna within the period stipulated above, the prayer for re-evaluation of the answer script shall be considered and fresh mark sheet be issued, if there is any change in the marks, in accordance with law.

13. The writ application accordingly stands disposed of in the aforesaid terms. All pending I.As, if any will be deemed to have been disposed of.

(Alok Kumar Sinha, J)

Prakash Narayan

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