

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1154 of 2026

In
Civil Writ Jurisdiction Case No.19657 of 2024

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Bhawesh Kumar Bhaskar S/O Indradev Paswan, resident of Ward No. 12, Village-Datuar, Datwar, P.S.-Khajauli, District - Madhubani, Bihar-847228.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Shrishti Singh

For the Opposite Party/s : Mr. Vivek Prasad, Government Pleader 7

Mr. Sanjay Kumar, AC to GP 7

Ms. Roona, AC to GP 7

For the University : Mr. Awadhesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 01-05-2026 1. Heard Ms. Shrishti Singh, learned counsel for the petitioner and Mr. Awadhesh Kumar, learned counsel appearing for the University.

2. The present modification application has been filed by the petitioner for modifying the order dated 19.09.2025



passed by this court in C.W.J.C. No. 19657 of 2024 particularly paragraph no. -119 by which this court held that the petitioner-Bhawesh Kumar Bhaskar shall remain expelled from the College / University for a period of three years reckoned from the date of order of the Vice Chancellor.

3. Ms. Shrishti Singh, learned counsel for the petitioner submits that expulsion from the College / University for a period of three years reckoned from the date of the order of the Vice Chancellor refers to three academic years from the date of the order passed by the Vice Chancellor i.e. academic years 2024-25, 2025-26 & 2026-27. Since in terms of paragraph no. 116 of the judgment it has been directed that the result of the final year examination shall remain withheld accordingly the petitioner may be allowed to resume from the session 2027-28 for which he may be allowed to appear for the final year examination i.e. 3rd Professional Part-II Examination in the year 2027. The modification is necessitated due to the fact that otherwise the consequence of the direction stipulating three years from the date of the order passed by the Vice Chancellor tantamounts to imposing a punishment of 04 years since the order of the Vice Chancellor is dated 12.11.2024 and three years would mean 11.11.2027. However, the petitioner would be



ineligible until the next year to appear in the final year examination. Therefore, the petitioner stands to be disqualified for a period of four years which does not appear to be the purport of the judgment dated 19.09.2025.

4. Mr. Awdhesh Kumar, learned counsel for the University on the other hand argued that this court while disposing the writ application has taken into consideration the disproportionate punishment awarded by the University and after striking a balance between law and equity has passed a well considered order directing that the petitioner shall remain expelled from the College / University for a period of three years reckoned from the date of the order of the Vice Chancellor and the result of the said final year examination shall remain withheld and shall not be published / declared and if the order is modified on the basis of academic session this will result into awarding punishment even prior to the date of the order passed by the Vice Chancellor on 12.11.2024.

5. Regard being had to the submission made by the parties, taking into consideration the nature of prayer made in the modification application and the fact that this court has passed the order after taking into account the facts and circumstances of the case, accordingly, I do not find any reason to



modify paragraph no. 119 of the order dated 19.09.2025.
This modification application is rejected.

(Anil Kumar Sinha, J)

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