
(2003) 09 PAT CK 0098
In the Patna High Court
Case No : C.W.J.C. No. 6054 of 2003

Bhawanand Jha

APPELLANT

Vs

B.N. Mandal University and Others

RESPONDENT

Date of Decision : 03-09-2003

Acts Referred:

Citation : (2003) 09 PAT CK 0098

Judgement

S.N. Jha, J.—The Petitioner has approached this Court for direction upon the B.N. Mandal University to issue the B.A. (Hons.) degree.

2. There is no dispute that the Petitioner passed the B.A. (Hons.) examination in 1988-91 academic session. In fact, his result was published and marksheet also was issued on 9.3.94. The reason behind withholding the Degree is that Petitioner cleared Part-I examination after Part III examination. According to the University, in terms of the Regulations the Petitioner was not eligible to appear in Part-III examination as he had not cleared Part-I examination.

3. The stand of the University is right in its place. However, following the decision in the case of Shri Krishnan Vs. The Kurukshetra University, Kurukshetra, having allowed the Petitioner to appear at Part III examination, rightly or wrongly, the University cannot deny him the benefit of result. As stated above, the facts are not in dispute. The Petitioner appeared and cleared all the Parts. The only irregularity was that he cleared Part-III examination earlier than Part-I for which the University is equally to be blamed.

4. In the circumstances, I would direct the University to hand over the original. Degree to the Petitioner in respect of his B.A. (Hons.) Examination 1991, but as the Petitioner has approached this Court after 12 years which has put the University to inconvenience, on payment of additional fee of Rs. 500/- to the University.

5. The petition stands disposed of.