

(2007) 11 PAT CK 0002
In the Patna High Court
Case No : CWJC No. 12250 of 2007

Parmeshwar Prasad

APPELLANT

Vs

Bhupendra Narayan Mandal University and Others

RESPONDENT

Date of Decision : 28-11-2007

Acts Referred:

Citation : (2008) 1 PLJR 662

Hon'ble Judges : V.N. Sinha, J

Bench : Single Bench

Advocate : Kumar Ravi Shankar, for the Appellant; Ranjeet Kr. Pandey, for the Respondent

Judgement

V.N. Sinha, J.—Heard learned counsel for the petitioner and the B.N. Mandal University, Madhepura (hereinafter referred to as "the University"). The petitioner appeared in the Bachelor of Arts (Honours) Final Examination, 1995, held in the month of August, 1996 by the University pursuant to the Admit Card issued by the University (Annexure-4) and succeeded in the said examination as is evident from the result dated 20.4.1997 and the marks-sheet dated 20.4.1997 (Annexure-4/A). It is submitted on his behalf that in spite of the result, he is not being given Certificate evidencing that he had passed the Bachelor of Arts (Honours) Final Examination, 1995 from the University. Learned counsel for the University opposes the prayer with reference to the averments made in the counter affidavit as according to him the College where the petitioner undertook the Bachelor of Arts course was not affiliated to the University, as such, he is not entitled for being granted certificate evidencing that he has passed the aforesaid examination.

2. I regret to accept the aforesaid submission in view of the fact that the genuineness of the marks-sheet (Annexure-4/A) has not been disputed in the counter affidavit and at this belated stage the University authorities cannot be permitted to take the plea that the College where the petitioner undertook her teaching course was not affiliated to the University.

3. In the circumstances, the University authorities are directed to issue Certificate evidencing that the petitioner passed Bachelor of Arts (Honours) Final Examination, 1996, as is evident from the marks-sheet (Annexure-4/A), as early as possible, in any case within a period of one month from the date of receipt/production of a copy of this order. This writ application is, accordingly, disposed of.