

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No.1485 of 2020

Rishaw Kumar Petitioner.

-Versus-

1. The State of Jharkhand
2. The Principal Secretary, Higher, Technical and Skill Development Department, Government of Jharkhand, Ranchi.
3. Kolhan University, Chaibasa, through its Vice Chancellor.
4. The Registrar, Kolhan University, Chaibasa.
5. The Controller of Examination, Kolhan University, Chaibasa.
6. Mahatma Gandhi Memorial Medical College, Jamshedpur, through its Principal. Respondents.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Shray Mishra, Advocate
For the State : A.C. to A.G.
For the University : Dr. Ashok Kumar Singh, Advocate

Order No.03

Date: 24.06.2020

This case is taken up through video conferencing.

The present writ petition has been filed for issuance of direction upon the respondent no.5- Controller of Examination, Kolhan University, Chaibasa to declare the result of the petitioner for MBBS 3rd Professional Part-II (I) Annual Examination- 2020, as the same has been withheld without any rhyme or reason despite the fact that the petitioner has successfully cleared all the papers of MBBS 3rd professional Part-II (I) Annual Examination- 2020. Further prayer has been made for issuance of direction upon the respondents to take final decision with regard to issuance of the petitioner's mark sheet for MBBS 3rd Professional Part-II (I) Annual Examination- 2020, as the petitioner's representation for the said purpose is still pending and has time and again been assured by the respondents that his mark sheet would be issued.

Learned counsel for the petitioner submits that in pursuance of MBBS 3rd Professional Part-II (II) Annual Examination- 2019, the petitioner appeared in MBBS 3rd Professional Part-II (II) Supplementary Examination- 2019 for three subjects, namely, Medicine, Paediatrics and Obstetrics & Gynaecology, as would be evident from the admit card issued by the competent authority of the

respondent-University. Thereafter, the result of MBBS 3rd Professional Part-II (II) Supplementary Examination- 2019 was declared and the mark sheet was issued to the petitioner. On perusal of the said mark sheet, it would be evident that the petitioner successfully cleared the papers of Medicine and Paediatrics, however, he failed to get pass marks in Obstetrics & Gynaecology, due to which he lost one year and was required to clear the subject of Obstetrics & Gynaecology for being promoted. The petitioner again appeared in MBBS 3rd professional Part-II (I) Annual Examination- 2020 to clear the subject of Obstetrics & Gynaecology for which the admit card was issued to him by the competent authority of the respondent-University. Despite the fact that the petitioner has appeared in the said examination, his result has not been published by the respondent-University. The petitioner has made several representations before the College and the University, however, the same have not yet been responded.

Dr. Ashok Kumar Singh, learned counsel for the respondent-University, submits that the respondent no.5 is the appropriate authority in this regard and he will take appropriate decision without any undue delay.

Having heard learned counsel for the parties and keeping in view the nature of the prayer made in the writ petition, without entering into the merit of the case, the respondent no.5 is directed to take an informed decision in this regard as expeditiously as possible preferably within a period of two weeks from the date of receipt/production of a copy of this order. The said decision of the respondent no.5 shall duly be communicated to the petitioner.

The writ petition is, accordingly, disposed of with the aforesaid direction.

(Rajesh Shankar, J.)

Sanjay/