

HON'BLE SRI JUSTICE K.SURESH REDDY

W.P.No. 35040 of 2022

ORDER:-

The present writ petition is filed questioning the action of the respondent Nos.2 and 3 in evaluating the answer scripts of the petitioner through digital evaluation process for the examination conducted for Final Year Part-I M.B.B.S without complying the procedure as prescribed by MCI and also as per directions of this court and also not furnishing the copies of the petitioner's answer scripts.

When the matter is taken up for hearing, it is brought to the notice of this court by both the learned counsel that this writ petition is squarely covered by the Judgment, dated 04-11-2022, rendered by the Hon'ble Apex Court in Civil Appeal No.8037 of 2022 in which the Appeal filed by the NTR University of Health Sciences, questioning the Orders of the learned single Judge as well as Division Bench ordering re-evaluation of the answer scripts of the writ petitioners, was allowed and rejected the request of the petitioner therein for re-evaluation. For better appreciation, it is relevant to

mention the para.11 of the judgment of the Hon'ble Apex Court hereunder:-

"11. In view of the above and for the reasons stated above, the common judgment and order passed by the learned Single Judge ordering re-evaluation of the answer scripts, confirmed by the Division Bench by the impugned common judgment and orders, is unsustainable. However, as observed hereinabove, as the results of the original writ petitioners after re-evaluation or appearing in the supplementary examination have been declared, while quashing and setting aside the impugned common judgments and orders passed by the learned Single Judge as well as Division Bench of the High Court, the same shall not be affected and/or disturbed. The impugned common judgments and orders passed by the learned Single Judge as well as Division Bench ordering re-evaluation of the answer scripts in absence of any such provision in the relevant rules are hereby quashed and set aside. However, as observed hereinabove, the same shall not affect the declaration of the results of the writ petitioners on re-evaluation or appearing in the supplementary examination."

Accordingly, by following the above said judgment, this writ petition is dismissed. No order as to costs.

Miscellaneous Petitions pending, if any, shall stand closed in consequence.

15-11-2022.
TSNR

K.SURESH REDDY,J