

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL No. _____/2025
[Arising out of SLP(C) No.2697/2022]**

**THE KALOJI NARAYANA RAO UNIVERSITY OF
HEALTH SCIENCES & ORS.**

APPELLANTS

VERSUS

DEVENDER BANAVATH & ORS.

RESPONDENTS

ORDER

1. Leave granted.

2. The facts giving rise to the appeal have been noted by a coordinate Bench of this Court in its order dated 25th February, 2022. In such view of the matter, we do not consider it necessary to recapitulate the facts.

3. Suffice it to note that the respondents/students have since qualified in the post graduate examination and a submission is advanced on their behalf that nothing survives for consideration in the appeal.

4. True it is, the respondents/students have qualified in the post graduate medical examination and no further order would seem to be necessary; however, having regard to the directions contained in the judgment and order of the Single Judge, which have been upheld by the Division Bench vide its judgment and order under challenge, we feel that our interference is required. Directions to have the answer scripts re-examined without the

rules of examination permitting such re-examination are in the teeth of the decision of this Court in "*Secy., W.B. Council of Higher Secondary Education V. Ayan Das & Ors.*"¹; hence, the same are indefensible and liable to be set aside.

5. Accordingly, we set aside the impugned judgment and order of the Division Bench and the Single Judge without, however, considering the necessity to consider the aspect noted in paragraph 4 of the order dated 25th February, 2022, whereby the appellants were directed to file an affidavit as to the modalities devised in the software to ensure the integrity and accuracy of the process of evaluation.

6. The appeal stands disposed of accordingly.

7. Pending application(s), if any, shall stand disposed of.

.....J.
[DIPANKAR DATTA]

.....J.
[MANMOHAN]

**NEW DELHI;
February 12, 2025**

1 (2007) 8 SCC 242

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No.2697/2022

[Arising out of impugned final judgment and order dated 02-02-2022 in WA No.32/2022 passed by the High Court for The State of Telangana at Hyderabad]

THE KALOJI NARAYANA RAO UNIVERSITY OF
HEALTH SCIENCES & ORS.

Petitioners

VERSUS

DEVENDER BANAVATH & ORS.

Respondents

(FOR ADMISSION and I.R.)

Date : 12-02-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s): Mr. P. Venkat Reddy, Adv.
Mr. Prashant Kumar Tyagi, Adv.
Mr. P. Srinivas Reddy, Adv.
M/S. Venkat Palwai Law Associates, AOR

For Respondent(s): Mr. M. A. Chinnasamy, AOR
Mr. Ch. Leela Sarveswar, Adv.
Mr. C Raghavendren, Adv.
Mr. Saurabh Gupta, Adv.
Mr. Devansh Tyagi, Adv.
Mr. S. Anbukrishnan, Adv.
Mr. E. Keerthik Vasan, Adv.

Mr. Sravan Kumar Karanam, AOR
Mr. Shiveesh Tyagi, Adv.
Mr. Kumar Abhishek, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The civil appeal stands disposed of in terms of the signed order.

3. Pending application(s), if any, shall stand disposed of.

(RASHMI DHYANI PANT)
ASST. REGISTRAR-CUM-PS

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)
(signed order is placed on the file)