

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4342 of 2015

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Dharmendra Kumar S/o Shiv Dayal Prasad, Resident of At + PO Aliganj, P.S. Chandradeep, District - Jamui

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, General Administration Department, Government of Bihar, Old Secretariat Building, Patna
2. The Bihar Public Service Commission through The Chairman, Bihar Public Service Commission, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna
3. The Secretary, Bihar Public Service Commission, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna
4. Hitesh Kumar Yadav S/o Not Known; resident of Not Known, through I.G. (Prison), Department of Home, Government of Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dipak Kumar
For the Respondent State: Mr. Neeraj Raj, AC to SC 19
For the BPSC : Mr. Satyabir Bharti

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 25-03-2015

A K Tripathi, J. Heard counsel for the petitioner and counsel for the respondents including BPSC.

2. Writ application has been filed by the petitioner making allegation that the original marks amounting to 138 in Geography, Paper-1, was manipulated and reduced to 131 in the 53rd -55th Common Combined (Mains) Competition Examination conducted by BPSC. He wants a direction upon the respondents to correct the marks as well as appoint him on the basis of the marks actually obtained by him.

3. A similar matter was dealt with in detail by this Court in CWJC No. 1137 of 2014, disposed of on 23.2.2015. The distinguishing feature so far as present case is concerned is that in the said case there was no initial or cross

signature of the examiner or the head examiner. In the present case it is evident from a look of the answer sheet that the marks were reduced by the examiner and duly cross signed by the head examiner as well and, therefore, it is not a case of interpolation but a case of re-assessment of the copy by the examiner and confirmed by the head examiner.

4. In view of the above, there is no interpolation as alleged by the petitioner in the marks awarded to him.

5. Writ has no merit. The similar rationale and reasoning given by this Court in CWJC No. 1137 of 2014 also applies to this case.

6. Writ application is dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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