

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12488 of 2014

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Prashant Kumar S/o Choudhary Jai Prakash Singh R/o village - Nokha, P.O. + P.S.
Nokha, District - Rohtas (Sasaram).

.... Petitioner

Versus

1. Chairman, Bihar Combined Entrance Competitive Examination Board , Patna.
2. Controller, Bihar Combined Entrance Competitive Examination Board, Patna.
3. Officer on Special Duty (O.S.D.) B.C.E.C., Patna.

.... Respondents

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Appearance :

For the Petitioner : Mr. Santosh Kumar, Advocate
For the Respondents : Mr. Vikas Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 05-11-2015

Petitioner filed a writ application for direction upon the respondents to admit him into M.B.B.S. course since he had the requisite merit position at rank 1929 but persons below the category and the merit position have been given admission.

The respondents Bihar Combined Entrance Competitive Examination Board, Patna has denied the above position by categorically stating in paragraph-8 of the counter affidavit that the last person granted admission under general category had a rank of 904 and in the backward category as 596. Petitioner's rank in general category was 1929 and amongst the backward class 814. It is obvious, therefore, that the petitioner was not granted admission not for any other reasons but for merit position which he held.

There is some dispute with regard to the marks which

was communicated to the petitioner in Biology which also now stands clarified by the Board. They say that the total marks obtained by the petitioner was 578 which is not a matter of dispute. By typing or mistake or inadvertence, in Biology paper he was shown to have obtained 254 marks. If marks obtained in Physics, Chemistry and Biology were added up together, they do not reach 578. Actually marks in Biology is 207. To strengthen and fortify that position that there is no hanky-panky, the answer sheet of the O.M.R. sheet of all the papers of the petitioner has been annexed with the model question and answer and the evaluation done thereof.

In view of the above, the reason for non-grant of admission to the petitioner is not attributable to the respondents but his non-performance and the rank which he had obtained in the competitive examination.

Writ has no merit and it is dismissed.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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