

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.8064 of 2015**

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1. Kailash Nath Tiwari, son of Shri Daya Shankar Tiwari, resident of village-Agsara, P.S. Darauli, District- Siwan, at present resident of LD-25-L, Running Shed Colony, Terhipullia, Alambagh, Lucknow.

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Bihar, Patna.
2. The Director, State Council of Educational Research and Training Bihar, (SCERT) cum Coordinator, Bihar Elementary Teacher Eligibility Test (BETET).
3. The Bihar School Examination Board, Patna through Secretary.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr A.B.Ojha, Sr. Advocate  
Mr. Srinivas Jha

For the Respondent/s : Mr. Avinash Kumar, SC 30  
Mr Manish Kumar

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**

ORAL JUDGMENT

**Date: 10-09-2015**

Petitioner was one of the candidates, who had appeared for Paper- II of Bihar Elementary Teacher Eligibility Test held in the year 2011. He was not successful. He approached before the respondent Examination Board seeking certain details and clarification and he categorically pointed out before the authorities that many a questions in the question paper were either incorrect or the answers were incorrect. It all adds up, according to the petitioner, to number of 11. If those 11 questions are deleted, petitioner would have succeeded.

This issue is not required to be agitated at this belated

hour. Examination was held in the year 2011. Results were declared thereof. Many an appointments have also been made on the basis of such a declared result. It is too late in the day to unsettle a settled position. If the issue was raised at appropriate time when the examination was held or soon after declaration thereof, may be the Court would have considered the submission of the counsel but not at this belated hour at this juncture.

Writ application is dismissed.

**(Ajay Kumar Tripathi, J)**

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