

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17433 of 2014

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Asha Kumari wife of Ashok Kumar Sudhanshu, resident of villoage- Mainpura,
P.O. Mahuari, P.S. Kochas, District Rohtas

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department,
Government of Bihar, Patna
2. The Secretary, Bihar School Examination Board, Bihar, Patna
3. The Director, Primary Education, Government of Bihar, Patna
4. The Director, State Council of Education and Research Training- cum-
Coordinator, Bihar Elementary Teacher Eligibility Test, Patna
5. The Centre Superintendent, Rohtas Law College, Sasaram, District Rohtas

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rameshwar Singh

For the Respondent/s : Mr. Madhuresh Prasad, GP 12

Mr Gyan Shankar

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 27-01-2015

Petitioner has filed the writ application for a direction upon the respondents to declare her result and issue marks-sheet for Bihar Elementary Teachers Eligibility Test of 2011. Final result was published on 14.5.2012 but she is still waiting her result. According to her, she filed an application contained in Annexure- 2 raising a grievance but when nothing came out of it, she decided to file the present writ application on 8.10.2014.

Respondents have taken a stand that the reason for non-declaration of her result is probably wrong filling up of the OMR which led to mismatch between her declaration as well as the answer sheet, which did not match with the original declaration so made with

regard to the candidate. The writ application filed on behalf of the petitioner is at a very belated stage. There is no explanation as to why she had to wait for almost two years before moving the High Court after declaration of the result or non- response from the Examination Board on her grievance. They also take a plea that no objection of any kind much less Annexure- 2 was ever received by the Examination Board. After all these years the OMR sheets now stand destroyed and advantage thereof is being tried to be taken at a belated stage since what is being alleged cannot be controverted.

In view of the above controversial circumstances and due to laches and delay on the part of the petitioner in asserting her right within a reasonable time frame, no direction can be issued. One has to go by the official stand taken by the respondents and the reason for non- declaration of her result.

Writ applications stands dismissed.

(Ajay Kumar Tripathi, J)

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