

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1083 of 2015

IN

Civil Writ Jurisdiction Case No. 2434 of 2015

- =====
1. Central Board of Secondary Education, Shiksha Kendra, 2 Community Centre, Preet Vihar, Delhi-110092 through its Secretary
 2. Regional Officer, Central Board of Secondary Education, Regional Office Ambika Complex, Behind SBI Colony, Near Brahamasthan, Sheikhpura, Bailey Road, Patna

.... Respondent/Appellants

Versus

Monika Priya, D/o Sri Nageshwar Mahato, resident of village- Sahiyar Burj, P.O. Rosera, District- Samastipur

.... Petitioner/Respondent/s

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Appearance :

For the Appellant/s : Mr. Vinay Krishna Tripathy, Adv.

For the Respondent/s : Mr. Suraj Narain Yadav, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 22-05-2015

Respondents in C.W.J.C. No.2434/15 filed this Appeal feeling aggrieved by an interlocutory order dated 25.3.2015 passed therein.

The respondent appeared in the C.B.S.E. examination. On coming to know that there exists a facility for re-evaluation of answer sheets. She too applied for re-evaluation of the answer sheets in the subjects of History and Home Science. Since that was not acceded to, she filed the writ petition.

Through the order under appeal, the learned

Single Judge directed that the re-evaluation of the answer sheets of the respondent of those two subjects be undertaken and that it shall also be explained as to why the selective evaluation is being taken up.

Learned counsel for the appellant submits that the re-evaluation in limited subjects, that too in a limited manner, is undertaken on experimental basis. It is not a regular feature. Assuming that the process is taken up as an experimental basis, re-evaluation of the papers of the respondent in those two subjects also can be done in similar fashion.

Therefore, we dispose of the Appeal upholding the order passed by the Learned Single Judge, but directing that the re-evaluation shall be in the same manner as is done in respect of other subjects. The presence of the respondent shall not be insisted on the next date of hearing, unless any contempt case is filed.

(L. Narasimha Reddy,CJ)

(Sudhir Singh, J)

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