

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9542 of 2015

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1. Sharddha Sneha D/o Pranay, R/o Road No.1 Yarpur, P.S. Gardanibagh, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Principal Secretary, Department of Science & Technology, Bihar, Patna.
3. The Secretary, Bihar Combined Entrance Competitive Examination Board, I.A.S. Association Building, Near Patna Airport, P.O.- B.V. College, Patna.
4. The Controller of Examination, Bihar Combined Entrance Competitive Examination Board, I.A.S. Association Building, Near Patna Airport, P.O.- B.V. College, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Siya Ram Shahi,
Mr. Raj Kumar Singh

For the Respondent/s : Mr. Indrajeet Bhushan, AC to GP 2
Mr Vikas Kumar

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 17-07-2015

The Court will stand by the petitioner provided the present situation or predicament in which petitioner is in was not her creation.

In every examination, right at the top of the answer sheet, the Examination Board very clearly has indicated to every candidate that they have to reproduce a text in the space provided, which is mandatory. If that text is not reproduced then there is no obligation upon the respondents to even evaluate the answer sheet.

In the present case, Annexure- 1 itself indicates that in two papers Chemistry and Biology out of 72 text, which was required to be reproduced, petitioner reproduced only 22 in Chemistry and 28 in

Biology. Since the results were not declared of the petitioner, she approached the High Court seeking a direction and many a things have been urged including the academic excellence of the petitioner.

In these days of impersonation and various other tricks of the trade, which are adopted, reproduction of the text by every student is one of the ways of checking impersonation. If the petitioner did not realize the importance of carrying out the instruction of the Board, she did with full knowledge and if she did it on purpose then the consequences will have to be faced by her.

This Court is not willing to dilute the instructions, which are in vogue and have been followed for years together by every candidate, who appears in such examination. There is no valid reason why the said requirement is required to be diluted only for the petitioner.

Writ application stands dismissed.

(Ajay Kumar Tripathi, J)

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