

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17829 of 2015

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Santosh Kumar, Son of SRi Jibachh Kamat, Resident of village - Pathrahi, P.S. Lakhnour, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Science & Technology, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Science & Technology, Govt. of Bihar, Patna
3. The Director, Department of Science & Technology, Govt. of Bihar, Patna
4. The Controller of Examinations, State Board of Technical Education, Bihar, Patna
5. The Principal, Sri Ram Polytechnic, Sijoul, District - Madhubani

... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra
For the Respondent/s	:	Mr. AAG2-D.K. Sinha

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 23-08-2016

Heard learned counsel for the parties.

Writ application was filed by the petitioner for a direction upon the respondents to publish his results for the 3rd semester of Civil Engineering for the session 2013-2016.

Petitioner is a student of what is known as Sri Ram Polytechnic, Sijoul, Madhubani.

The respondents were directed to file counter affidavit and explain the reason for non-publication of the result of the petitioner. The respondents have taken a stand that at the centre in question where the petitioner was supposed to appear, the Centre Superintendent and other authorities found a difference between the photograph of the admit-card and the candidate, who was

appearing, who was supposed to be the petitioner, but was not the petitioner. In this regard a detailed report was forwarded to the authorities with supporting materials and a case prima facie of impersonation was made out against the petitioner and that is the reason for non-publication of the result of the petitioner for the 3rd semester.

Counsel for the petitioner submits that he had not been given an opportunity of hearing.

If the petitioner still wants opportunity of hearing, let him approach the competent authority in this regard and they will give him an opportunity to explain himself and satisfy the authorities about his bona-fide, which may be a difficult task, keeping in mind that the Court has also gone through the original records and the materials and is prima facie satisfied that there was a reason for the respondents not to declare result.

The final decision is left in the hands of the authorities.

Writ application is dismissed with liberty as above.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	24.08.2016
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