

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 5740 of 2014

Shadab Shami @ Mohd. Shadab Shami Son Of Mohammad Fakhre Alam Resident Of Village- Bishanpur Bazar, P.O. Bishanpur Bazar, Via- Jadia, Police Station- Kumarkhand, District- Madhepura

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government Of Bihar, Patna
3. The Director, Primary Education, Government Of Bihar, Patna
4. The Bihar School Examination Board Through Its Secretary
5. The Secretary, Bihar School Examination Board, Patna

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar
For the Respondent/s : Mr. GA3- V.K.Singh

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 22-04-2016

Heard learned counsels for the parties.

Petitioner participated in what is known as Bihar Elementary Teachers Eligibility Test in the year 2011. A candidate, to qualify in the said examination, should have obtained 90 marks out of 150. Since the petitioner was awarded only 88 marks, he filed the present writ application on the ground that some of the questions and answers given in the OMR sheet are palpably wrong.

The above position was rebutted on behalf of the Bihar School Examination Board. They take a stand that evaluation has been done on the basis of the model question and answer. There is nothing wrong with the evaluation and the marks awarded to the petitioner and that the evaluation has been done on the basis of the

recommendation of the expert committee, before whom objections with regard to correctness or otherwise of some of the questions and answers was brought for their consideration.

Since in the previous counter affidavit of the Examination Board, the report of the expert committee was not annexed, the same has been done now by way of a supplementary counter affidavit, as Annexure-A.

Having perused the same and the recommendation thereof, it is more a case of fishing by the petitioner through the writ application as an endeavour to qualify in the said eligibility test, rather than any lack of verification and evaluation as per the recommendation of the expert committee.

Writ application has no merit, it is dismissed

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	25.04.2016
Transmission Date	