

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19968 of 2013

- =====
1. Md. Ali Khan Quadri Son Of Haji Murad Ali Resident Of Gurdaham Khurd, P.S. - Manjhi, District Saran At Chapra
 2. Tabssum Khanam Daughter Of Md Ali Khan Quadri Resident Of Gurdaham Khurd, P.S. - Manjhi, District Saran At Chapra

.... Petitioner/s

Versus

1. The Bihar School Examination Board Through Its Secretary, Patna
2. The Chairman, Bihar School Examination Board, Patna
3. The Secretary, Bihar School Examination Board, Patna
4. The Examination Controller, Bihar School Examination Board, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Mishra
For the Respondent/s	:	Mr. Piyush Lall
For the BSEB	:	Mr. Satyabir Bharti
		Ms. Aparna Arun

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 22-08-2016

Heard learned counsel for the petitioners and
counsel for the Examination Board.

Writ application had been filed by the petitioner
in the apprehension that she had given lesser marks in
two subjects, namely, Science and Mathematics. She also
obtained answer-sheet under Right to Information Act,
which indicates that some marks though had been
awarded, but were not added in the total. The omission is
of three marks.

The counter affidavit of the Bihar School
Examination Board takes a plea that the copy of the

petitioner was placed before the experts, which was examined by them and in Science paper, the maximum of 1 mark would be awarded to her, making it 43, instead of 42. So far as Mathematics paper is concerned, she had been granted 50 marks, whereas she was entitled to only 42 marks.

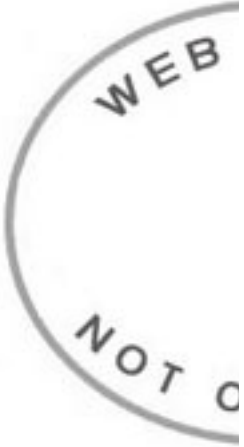
One other aspect, which has been pointed out, is that she was entitled for two marks for attempting question no. 28, but no marks was awarded and two marks was awarded in question no. 45, to which she was not entitled to, because she never attempted that question.

The sum essence of such exercise is that the total marks, which the petitioner got, over all, would not alter and so her result would not alter.

In other words, expectation of the petitioner, which she had expressed in Annexure – 2, is not borne out from the actual state of affairs.

In view of the above, the Court does not give any direction for any other deliberation or exercise, keeping in mind that the final result in no manner is altered or is affected, which will make a difference to the over all performance of the petitioner.

The details have also been indicated by way of



a chart, annexed as Annexure – A to the counter affidavit for more clarity as to how marks were awarded and calculated.

Writ application, therefore, must rest at that. No order is required to be passed in favour of the petitioner.

Writ application stands disposed off, accordingly.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	23.08.2016
Transmission Date	