

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19405 of 2012

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1. Sabita Kumari W/O Shri Kaushal Kishore Gupta, D/O Shri Surendar Sah R/O Village- Mangarpal, Nooran, P.O.- Tarwan Mangarpal, P.S.- Dariyapur, District- Saran.

.... Petitioner/s

Versus

1. Bihar School Examination Board, Budha Marg, Patna, Through Its Chairman
2. The Chairman Bihar School Examination Board, Budha Marg, Patna
3. The Secretary (Higher Secondary) Bihar School Examination Board, Budha Marg, Patna
4. The Examination Controller Bihar School Examination Board, Budha Marg, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar Shrivastava

For the Respondent/s : Mr. Ajay Behari Sinha

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 05-01-2016

Heard the Counsel for the petitioner and the Counsel for the respondent Board.

The task of the Court has been eased by filing supplementary counter affidavit filed on behalf of the respondent Board wherein it has been stated that considering the latches on the part of the respondent Bihar School Examination Board (for short 'the Board'), the petitioner suffered and, as such, the respondent Board is inclined to pay compensation in the sum of Rs. 20,000/-.

The writ application prays for payment of compensation on account of latches on the part of the Board which includes the erstwhile Bihar Intermediate Education Council also. Initially, he was issued marks-sheet showing 531 marks obtained by her which

qualified her to be in the second division. Subsequently, the Board issued the Pass Certificate in which she was shown as having passed in 1st division having obtained 578 marks. It is the contention of the petitioner that on account of the aforesaid latches in issuing the mark-sheet and the Pass Certificate, the petitioner suffered enormously.

Counsel for the Board, referred to the order of this Court dated 18.12.2014 and submitted that in the light of the observations of the Court, the matter was considered afresh by the Board and a sum of Rs. 20,000/- was decided to be paid by way of compensation.

Counsel for the petitioner states that such decision was taken in 2014 but the amount of compensation has actually not disbursed till date.

Having considered the said submission of the petitioner, in my view, the ends of justice shall be sub-served if the respondent is directed to pay a sum of Rs. 30,000/- instead of Rs. 20,000/- to the petitioner by way of compensation on account of the latches. Such amount shall be paid to the petitioner within four weeks from today. Needless to observe that the petitioner shall be entitled to seek appropriate compensation in accordance with law, if so advised.

(Kishore Kumar Mandal, J)

Pankaj/-

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