

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.932 of 2017

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Kumari Rashmi, Daughter of Sri Siya Ram Singh, Resident of village - Kheshar,
P.S. - Belhar, District - Banka, At present posted as Block Teacher in upgraded
Middle School, Dhiva, Jhajha, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education,
Government of Bihar, Patna.
2. The Director, State Council of Education Research and Training, Bihar,
Department of Education, Government of Bihar, Patna.
3. The District Programme Officer, Jamui.
4. The Block Education Officer, Jhajha, Jamui.
5. The Centre Superintendent, B.N. Collegiate School, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arjun Pd. Keshri
For the Respondent/s : Mr. MADHAW PRASAD YADAV-GP23
Mr. Arvind Kumar, AC to GP-23

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL JUDGMENT

Date: 11-12-2017

Heard the parties.

The petitioner had appeared for Elementary Teachers
Evaluation Examination, 2016 which was an objective type test.

There were altogether 100 questions offered to the
candidates to answer. After the examination was held, objections were
invited from the candidates over wrong framing of questions and in



respect of model key answers on the basis of which the evaluation was to be done.

It is the case of the petitioner that she too had raised objection with respect to two questions namely, questions no. 43 and 90. The examining body, on the basis of objections received from various candidates, found seven questions wrongly framed and decided to delete those seven questions, including the said questions no. 43 and 90, from the purview of evaluation and the result has been prepared on the basis of respective scores of the candidates against remaining 93 questions.

The petitioner is said to have missed by only one mark and she has not been declared successful accordingly. In that background, it is the case of the petitioner that evaluation ought to have been done on the basis of 100 marks and average marks ought to have been awarded, so far as, deleted questions are concerned.

The plea which has been taken by the petitioner cannot be accepted for two reasons. Firstly, it is settled by now that if wrong questions are found to have been framed, the said questions are required to be deleted from the purview of evaluation which has been done. Secondly, the petitioner has not pleaded as to how she had dealt with the rest of the five questions. No case of prejudice has been pleaded in writ application resulting out of wrong model answers.



No relief, as sought for, can be granted in the said background of facts.

Accordingly, this application is dismissed.

(Chakradhari Sharan Singh, J)

Vinita/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.12.2017
Transmission Date	NA

