

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3958 of 2017

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Atyab Ahmad (Minor) through his father and natural guardian Md. Faiyaz Ahmad, son of Sri Hussain Ahmad, resident of Flat No. 101, Faiz Palace, Khagri Gali, Samanpura, Raza Bazar, P.S.- Shastri Nagar, Town & District- Patna.

.... Petitioner/s

Versus

1. The Bihar School Examination Board, Budha Marg, Patna through its Chairman.
2. The Chairman, Bihar School Examination Board, Budha Marg, Patna.
3. The Secretary, Bihar School Examination Board, Budha Marg, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra Mishra, Adv.

For the Respondent/s : Mr. Lalit Kishore, PAAG-1

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

ORAL JUDGMENT & ORDER

Date: 13-04-2017

This application, under Article 226 of the Constitution of India, has been filed seeking following relief:-

(i) For issuance of an appropriate writ/writs in the nature of mandamus directing and commanding the Respondents to immediately issue



fresh amended Marks Statement (Marks-Sheet) to the petitioner of his Intermediate Examination, 2016 having his Roll No. to be 10048 (Roll Code is 11025 and Registration Number is 11025-R-0062/14) by adding the left out 5 marks in the Answer-Book of English Paper of total 50 marks of the petitioner as the total marks obtained by him would be 31 after adding answer wise awarded marks, but, only 26 marks have been mentioned in the said subject which has been mentioned in his Marks Statement as apparent from his answer-book.

(ii) For further issuance of an appropriate writ/writs in the nature of mandamus directing and commanding the Respondents to add 1 mark in the English paper of total 100 marks as the answers of Question No.4 (a), 4 (b) and 4 (c) have been ticked as correct, but, instead of giving 3 marks only 2 marks have been given as those question Nos. 4 (a), 4 (b) and 4 (c) bears 1 mark each as due to shortage of the aforesaid total 6 marks the petitioner is bound to face disqualification in appearing his I.I.T. Entrance Examination 2017 which is going to be held on 02.04.2017 and the petitioner is preparing for the



same and is putting hard labour in his preparation for the said examination.

(iii) For directing the Respondent Authorities to issue fresh amended Marks Statement to the petitioner on urgent basis by adding his left out 6 marks in his Marks Statement which has been issued after the result of his Intermediate Examination, 2016 as in absence of which the petitioner is bound to be disqualified in his I.I.T. Entrance Examination due to the said shortage of marks which is going to be held on 02.04.2017.

2. It has been stated in paragraph 6 of the counter affidavit, filed on behalf of the respondents-Bihar School Examination Board, Patna, (*hereinafter referred to as the "Board"*) that steps for issuance of amended marks-sheet is under process. It has also been submitted by learned counsel, appearing on behalf of the Board, that the amended marks-sheet will be issued soon.

3. In view of the statement made in the counter affidavit, the grievance of the petitioner, as has been quoted above, has substantially been redressed.

4. Accordingly, the application stands disposed of, but with a direction to the Secretary, Bihar School Examination Board, Patna, to ensure that the amended



marks-sheet is issued within a period of two (2) weeks from the date of receipt/production of a copy of this judgment.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	18.04.2017
Transmission Date	

