

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13510 of 2017

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Gauri Nandan Singh S/o Late Ambika Singh, Resident of Village + P.O. Kumhara,
Vishunpur, P.S. Dumra, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
4. The Secretary, Education Department, Govt. of Bihar, Patna.
5. The Chairman, Bihar School Examination Board, Patna.
6. The Secretary, Bihar School Examination Board, Patna.
7. The Director, Secondary, Education Department, Govt. of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh, Advocate

For the Respondent/s : Mr. Lalit Kishore, Advocate General

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 18-09-2017

Challenge in this Public Interest Litigation filed by
the petitioner who claims to be a resident of Village Kumahara
Visnupur, District Sitamarhi and who is a retired headmaster, wants
this Court for a direction to recheck the result of Class X



examination declared by the Bihar School Examination Board and it is the case of the petitioner that there has been a large scale irregularity in evaluation of the answer books and, therefore, the petitioner wants this Court to constitute a Committee to recheck of the answer sheets of all the students who appeared in the examination and thereafter a direction for CBI enquiry into the matter.

Similar writ petition filed earlier has already been dismissed by this Court granting liberty to the students to ventilate their grievance in accordance with the remedy available under law. We have held that in public interest litigation based on the general allegation made no mandamus can be issued for re-evaluating of the answer sheets.

That apart, contention of the petitioner that a new Chairman be appointed and cause an enquiry against the Chairman is also not tenable and cannot be considered in this writ petition as the question of appointment of regular Chairman, according to the learned Advocate General, is pending before the Government and the Government will take action in accordance with law.

Taking into consideration totality of the matter, we see no reason for making any indulgence in this petition. However, liberty shall be available to individual students to ventilate their



grievance in case they have any in accordance with law.

With the aforesaid the writ petition stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

mrl

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	21.09.2017
Transmission Date	N.A.

