

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10452 of 2017

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Markandey Prasad, S/o Sitala Prasad Tiwari, resident of New Area,
Sasaram, PS & District-Sasaram, father and guardian of miss
Soumya Shandilya.

.... Petitioner/s

Versus

1. The Bihar School Examination Board, Patna through its Secretary.
2. The Chairman, Bihar School Examination Board, Patna.
3. The Secretary, Bihar School Examination Board, Patna.
4. The Joint Secretary, Senior Secondary Division, Bihar School Examination Board, Patna.
5. The State of Bihar through the Secretary, Education Department, Bihar, Patna.
6. The Director, Secondary Education, Bihar, Patna.
7. The District Magistrate, Sasaram at Rohtas.
8. The District Education Officer, Sasaram at Rohtas.
9. The Centre Superintendent, Rohtas Mahila College, Sasaram at Rohtas.
10. The Centre Superintendent, Pragya Niketan Public School, Sasaram at Rohtas.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanat Kumar Mishra, Adv.
For the State : Mr. AC to SC-28
For the Board : Mr. Ajay, Adv.

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

ORAL JUDGMENT & ORDER

Date: 26-07-2017

The petitioner's daughter failed to appear in the practical examination of Intermediate (Annual) Examination, 2017, held by the Bihar School Examination Board, Patna (*hereinafter referred to as the 'Board'*). It is the case of the petitioner that since she was unwell during the said examination, she could not appear at the practical examination, though she appeared at the written examination and secured very good marks.

2. The petitioner seeks a direction to the respondents-Board to conduct for her a special practical examination.

3. Nothing has been shown to me, which provides for special examination, in case a student absents himself/herself, for any reason whatsoever.

4. Learned counsel, appearing on behalf of the petitioner, submits that supplementary examination is going to be held in near future and the petitioner's daughter may be permitted by the Board to take practical examination, under the orders of this Court.

5. The Court cannot make such positive



order, on the basis of what has been pleaded in the writ application. However, it will be open to the petitioner to approach the Board for the said purpose and the Board may permit the petitioner’s daughter to take practical examination, if the Rules so permit,.

6. With the aforesaid observation, this application stands dismissed.

(Chakradhari Sharan Singh, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	28.07.2017
Transmission Date	N/A

