

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11973 of 2016

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Subodh Kumar Singh, Son of Diwakar Prasad Singh, resident of Village- Borra,
P.S- Amdanda, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Primary Education Department Bihar, Patna.
3. The Chairman Bihar School Examination Board, Bihar, Patna.
4. The Secretary Bihar School Examination Board, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Shankar Kumar Thakur, Advocate
For the State : Mr. K.K. Jha, A.A.G. 8
For the B.S.E.B. : Mr. Purnendu Singh, Advocate
For the Intervenor : Mr. Brisketu Sharan Pandey, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 18-04-2017

In pursuance to the grievance made by the petitioner,
the respondent Bihar School Examination Board has filed a
supplementary counter affidavit today and bring on record an
advertisement (Annexure-C) being Advertisement No. 42/2017 for
initiating the selection process for conducting the T.E.T.
Examination.

2. Now, once the Board has initiated the process of
conducting the examination, the grievance of the petitioner that after
2011 the examination has not been conducted and, therefore, action



should be taken, stands remedied. The Board is expected to adhere to the schedule notified in Annexure-C and ensure that the examination is conducted in the schedule as notified.

3. Interveners and the petitioner now make a further prayer that as examinations were not conducted after 2011, during the period of about five years when the examinations were not conducted, various persons have been rendered ineligible due to having crossed the age limit fixed for appearing in the examination. If that be so, the individuals who are interveners or any other individual who is aggrieved by the matter should invoke jurisdiction of the Board and it would be for the Board at the instance of the aggrieved person to examine individual case and grant relief if permissible under law. In this Public Interest Litigation, which is only pertaining to inaction on the part of the Board in not conducting the examination after 2011, we see no reason to make any further indulgence into the matter. We grant liberty to the individuals who have any grievance with regard to non-conduct of the examination for the period of five years having adverse effect on their eligibility criteria to ventilate their grievance individually. At the instance of the petitioner now in this petition we are not inclined to look into the matter. The interveners herein and all or any other individual is granted liberty to do so. Now, as the Board has already initiated the process of conducting the examination in



question, we direct the Board to conclude the process of examination in accordance to the time notified in the schedule and advertisement (Annexure-C).

4. The writ petition stands disposed of along with all Interlocutory Applications.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	27.04.2017
Transmission Date	

