

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.2205 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 10838 of 2013**

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Hari Kishore Sharma, Son of Suresh Sharma, resident of village Mathurapur, P.S.
Bihpur (Bhawanipur), District- Bhagalpur

.... Appellant/s

Versus

1. The Bihar School Examination Board, through its Secretary, Patna
2. The Deputy Secretary (T.T. Cell), Bihar School Examination Board, Patna
3. The Principal, Primary Teachers Training College, Bhagalpur

.... Respondent/s

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Appearance:

For the Appellant/s : Mr. Tarun Prasad Mandal, Advocate.
For the B.S.E.B : Mr. Gyan Shankar, Advocate.
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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 16-02-2017

Re.: I.A. No. 9551 of 2015

This application is for condonation of delay of 21days
in filing the Letters Patent Appeal.

For the reasons mentioned in the Interlocutory
application, we are satisfied that the appellant has shown sufficient
cause to seek condonation of delay in filing the present Letters Patent
Appeal.

Consequently, Interlocutory Application is allowed and
delay in filing the Letters Patent Appeal is condoned.

Re.: L.P.A. No.2205 of 2015



The challenge in the present Letters Patent Appeal is to an order passed by the learned Single Bench on 24th of August, 2015 whereby, the writ application filed by the appellant for correction in the marks sheet of Primary Teachers Training Examination-2004 remained unsuccessful, as it was found on verification of the answer sheet that the marks awarded to the appellant is only 24.

2. The entire claim of the appellant is based upon entry in the tabulation register appended with the writ application as Annexure-2A wherein, in Paper-V (Practical Teaching), he has been awarded 64 marks.

3. In the counter affidavit, it has been pointed out that the entry in the register is by mistake. The original Standard Practical Marks Foil has been produced on record as Annexure-A. A perusal of the said document shows that the appellant has obtained 24 marks in Paper-V (Practical Teaching). It is the said evaluation which has been assigned by the examiners.

4. The register relied upon by the appellant carries the marks given in the Standard Practical Marks Foil wherein marks awarded to the appellant is 24. Therefore, the entry in the register is apparently on account of inadvertent mistake.

5. Still further, the appellant has invoked the writ jurisdiction of this Court after 8 years of the declaration of the result.



6. In view of the above, we do not find any error in the order passed by the learned Single Bench which may warrant interference in the present Letters Patent Appeal. Accordingly, the same is dismissed.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Mishra

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	21.02.2017
Transmission Date	

