

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12037 of 2017

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1. Public Interest Litigation Forum Through Shashi Bhushan Kumar, Son of Late J.K. Gupta, Resident of Lohiya Nagar, P.S.- Kankarbagh, District- Patna.
 2. Md. Shanur Rahman, Son of Razaur Rahman, Resident of Shah Kamal Road, Lodi Katra, Jhauganj, Patna City.
 3. Deep Jyoti Kumari, Daughter of Pramod Singh, Resident of Village- Guriyawan, P.O.- Itwan, P.S.- Mohanpur, District- Gaya.
 4. Ayushi Kumari, Daughter of Kavindra Prasad Singh, Resident of Kathgachhi Daunapur under P.O.- Chand Choura, P.S.- Vishnupad, District- Gaya.
 5. Amit Raj, Son of Birendra Kumar Saklecha, Resident of Mohalla- Bakrour, P.S.- Bodhgaya, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Chairman, Bihar School Examination Board, Patna.
4. The Secretary, Bihar School Examination Board, Patna.
5. The Director General of Police, Department of Vigilance, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar

For the Respondent/s : Mr. ASHUTOSH RANJAN PANDEY -AAG15

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 30-08-2017

This petition in public interest has been filed, inter alia contending that in the intermediate examination 2012 conducted by the Bihar School Examination Board most of the students have been declared failed, contending that evaluation of the entire answer books and other materials be undertaken afresh, this petition has been filed in public interest by a Public Interest Litigation Forum.



With regard to the issue in question in case any candidate has any grievance in the matter , it is for the candidate to ventilate the grievance in accordance with the remedy available under law. In a general manner, based on the sweeping allegation made, we see no reason to make indulgence into the matter and direct for evaluation of more than 30 lacs answer books of the students that also without there being any substantive prima facie material to show that the allegations made in the writ petition are correct.

That being so, we are not inclined to interfere into the matter in the manner presented in this public interest litigation and if any student is aggrieved by marks and evaluation, liberty shall be available to the students to ventilate their grievance in accordance with law.

With the aforesaid the writ petition stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

spandey/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	5.9.2017
Transmission Date	

