

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12180 of 2017

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Sanjay Kumar S/o Satyadeo Prasad, Resident of Gayatri Niwas, Road No. 6,
Shastri Nagar, P.S. & District-Munger.

... .. Petitioner/s

Versus

1. The Central Board of Secondary Education, 'Shiksha Kendra',
2. Community Centre, Preet Vihar, Delhi-110092, through its Director.
3. The Regional Officer, Regional Office, Ambika Complex, Opp. S.B.I. Colony, Brahmasthan, Sheikhpura, Patna.
4. K.N. Memo Academy, Rahmatpur, Asharganj, Munger, through its Principal.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishore Prasad
For the Respondent/s : Mr. Vinay Krishna Tripathy

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 17-11-2017 Heard learned counsel for the parties.

2. The petitioner seeks a direction to the respondents to reevaluate the answer paper of Biology subject of the petitioner's son, who had participated in Senior School Certificate Examination (Class-XII), 2017.

3. It is the petitioner's grievance that his son has been awarded less marks than what he deserved on the basis of his performance.

4. It appears that the Central Board of Secondary Education enables the examinees to apply for scrutiny of maximum of eight questions in a subject. The petitioner did not apply for scrutiny of eight question as formulated, rather he



applied for reevaluation, which is not permissible under the guidelines/regulations of the Central Board of Secondary Education.

5. It is the case of the petitioner that after having received the answer-sheet of the petitioner's son in the said subject under the Right to Information Act, he got the same evaluated privately and on the basis of that it is his claim that the petitioner's son has been given less marks than he deserve.

6. In course of the previous hearing, the Court wanted to know from the learned counsel for the petitioner as to how the petitioner is in a position to explain that the marks awarded to him is less than what the petitioner's son deserve.

7. Following are the statements made in paragraphs 6 and 7 of the reply to the counter affidavit:-

“6. That immediately after publication of the result, the petitioner has approached the Regional Office of CBSE and has submitted an application for verification of marks and for that the petitioner has deposited the required fees also. Accordingly, the respondent CBSE has verified the marks obtained by the son of the petitioner in Biology paper. Thereafter, the petitioner has been given the verification status. According to the said verification status, the respondent CBSE has informed the petitioner that there is no mistake found in the verification and the marks allotted to the candidate is correct.

7. That the petitioner thereafter approached



the Regional Officer of CBSE and has submitted an application for supply of photo copy of the answer book of Biology paper of the candidate. The petitioner has also deposited the required fees thereof and has requested to provide the photo copy of the evaluated answer book of the candidate.”

8. On perusal of the aforesaid statements, I do not consider it to be a fit case for interference, particularly, when the petitioner did not apply for scrutiny.

9. This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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