

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1159 of 2018

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Suryakant Kumar Singh, under the guardianship of his father Shyamsundar Singh, resident of Village- Dhalkochak, P.O.- Dawatpur Via Masaurhi, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development, Bihar, Patna.
2. The Director, Primary Education Bihar, Patna.
3. The Chairman, Bihar School Examination Board, Patna.
4. The Secretary, Bihar School Examination Board, Patna.
5. The Principal Simultala Residential School, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar
For the Respondent/s : Mr. Madanjeet Kumar -GP-20

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-07-2018 Heard learned counsel for the parties.

2. The petitioner's son, it is asserted had appeared in entrance examination held on 09.08.2015, for admission in Simultala Residential School. It is the grievance of the petitioner that there were several irregularities committed in holding of the examination. He had applied for supply of OMR answer-sheets of the petitioner's son and merit list under the Right to Information Act, which have not been supplied. The petitioner's son was not selected for admission.

3. With the aforesaid allegation, the petitioner is seeking direction upon the respondent to enquire into the matter



and to provide to the petitioner, OMR answer-sheets of the petitioner's son.

4. As regards providing of OMR answer-sheets, the petitioner is said to have already invoked Right to Information Act. If the desired information are not supplied to him, he has remedy of appeal under the Act. No relief in this regard can be given in a proceeding under Article 226 of the Constitution of Indian, once the petitioner has already taken recourse to the provision of the Right to Information Act.

5. On the question of direction for enquiry into the allegation of irregularity in the examination, there is no specific convincing material for the Court to issue any such direction. In any view of the matter, no relief can be granted to the petitioner three years after the said examination was held in the year 2015. No relief as sought in the writ application, therefore, can be granted.

6. This application stands dismissed.

(Chakradhari Sharan Singh, J)

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