

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.849 of 2014

In
Civil Writ Jurisdiction Case No.21095 of 2012

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1. The State of Bihar through Secretary-Cum-Commissioner, Human Resources Department, Patna
 2. The Principal Secretary Education Department, Bihar, Patna
 3. The Director Human Resources Department, Patna
 4. The Director (Secondary Education), Education Department, Patna

... .. Appellant/s

Versus

Sushil Kumar Son of Shiv Shankar Singh, Resident of Village- Jagatpura,
P.S.- Motihari, district- Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Mayank Rukhaiyar
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 05-03-2018

Heard learned counsel for the State and learned counsel for the private-respondent.

Appeal has been preferred by the State against the order of the Learned Single Judge primarily on the ground that since a bridge course, conducted by Indira Gandhi National Open University (IGNOU), known as Bachelor's Preparatory Programme (BPP), not being equivalent to Intermediate, the State Government is facing difficulty in evaluation and award of marks



to such candidates, who have done BPP Bridge Course and then Graduation.

This Court fails to appreciate the anxiety on the part of the State, in view of what the Learned Single Judge has recorded in the impugned order, dated 17.06.2013, which reads as under:

“This Court, however, must immediately clarify that the evaluation of a candidate including the petitioner who has undergone the BPP Course of IGNOU and thereby has neither undergone nor completed the higher secondary and intermediate will be made on the same parameter as given in the 2006 Rules. In other words, if the petitioner has completed Matriculation, Graduation and Teachers Training Course, the percentage of all these three examinations shall be added along with giving him zero marks for the Intermediate / Higher Secondary Examination and his average will be taken out in the manner described under the 2006 Rules by dividing it by five.”

In view of what has been stated by the Learned Single Judge quoted above, the State authorities would deal with candidates with BPP bridge course in the manner and mannerism, while calculating their percentage and evaluation is done.

There is no occasion to observe or comment over and above what has already been said on the issue by the Learned Single Judge.



Appeal stands disposed off, accordingly.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

skm/-

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