

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19024 of 2018

Divyani Kashyap (Minor) Under His Guardianship Of Father Namely Daroga Prasad Chaudhary @ Daroga Prasad Chaudhari, Son of Late Rasbihari Choudhary, resident of Piuni Bag, Ward No.- 32, P.O.- Bettiah, P.S.- Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

1. The Bihar School Examination Board through its Chairman, Buddha Marg, Patna.
2. The Secretary, The Bihar School Examination Board, Buddha Marg, Patna.
3. The Controller of Examination, The Bihar School Examination Board, Buddha Marg, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jagjit Roshan
For the Respondent/s : Mr. Gyan Shankar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 03-12-2018 In the light of this Court's order dated 11.10.2018, learned counsel for the Bihar School Examination Board has produced before this Court the petitioner's answer sheet of Chemistry paper of Intermediate Compartmental Examination (Science), 2018. On perusal of the answer sheet, there does not appear to be any question, which has remained unevaluated nor totalling of the marks appears to be incorrect. The petitioner is present in the Court, who has been given an opportunity to see her answer sheets. She accepts that this is her answer sheet.

Learned counsel appearing on behalf of the petitioner, however, based on the instructions, which he has received from



the petitioner, submits that some of the answers have been under-evaluated inasmuch as though the petitioner deserves two marks against her correct answer, she has been awarded only one mark. Learned counsel for the petitioner submits that the petitioner's answer sheet needs to be re-evaluated.

There is no dispute that the examination regulations of the Bihar School Examination Board do not provide any such re-evaluation. I do not find any merit in this application.

This application is accordingly dismissed.

However, in the peculiar facts and circumstance of the case, I direct that the money deposited by the petitioner of Rs. 40,000/- (Forty thousand) be returned to her. Original answer sheets of the petitioner be returned to the learned counsel for the Bihar School Examination Board.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

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