

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10684 of 2017

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Suraj Kumar Sharma S/o Ram Udar Sharma, Resident of Village +P.O.-
Kahua, P.S.-Sangrampur, District-Munger.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Secretary, (Secondary Education), Education Department, Govt. of Bihar. Patna
2. The secretary, Bihar Sanskrit Shiksha Board, Patna.
3. The Examination Controller, Bihar Sanskrit Shikaha Board, Patna.
4. The Ram Lal Sarra, Sanskrit High School, Narghoghi, Samastipur through its Headmaster.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Mukund Mohan Jha
For the Board	:	S.S. Sundaram Shashank Shekhar Jha
For the State	:	Mr. Kumar Kamal Nayan, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

- 3 31-10-2018 The petitioner has filed this writ application seeking a direction to the respondent-Bihar Sanskrit Shiksha Board (hereinafter referred to as 'the Board') to issue verification report in respect of the mark sheet issued by the Board in favour of the petitioner of Madhyama Examination (session 2010-12). It is the petitioner's claim that he was a private student of Sri Ram Lalla Sanskrit High School, Narghoghi and he had appeared in the Madhyama Examination of session 2010-11 having his registration no. SAM-03560-10/11. It is his further case that he had appeared in Madhyama Examination of the said session and he was allotted Roll Code 2204 and Roll No. 0442.



He passed the examination with third division and accordingly the certificate was issued by the Board bearing no. 58547, which has been brought on record by way of Annexure-4 to the writ application. He subsequently joined the Central Jail, Buxar, and in order to verify his educational qualification, the authorities of the Jail had sought for verification report from the Board in respect of the petitioner's educational qualification of Madhyama. This is the background, in which the present writ application has been filed seeking direction to the Board to issued verification report.

A counter affidavit has been filed on behalf of the respondent-Board, wherein it has been specifically stated in paragraph 7, that according to the tabulation register maintained by the Board of Madhyama Examination, 2011, the name of the candidate with Centre Code 2204 and Roll No. 0442 substantially differs from the petitioner's name. The name of the candidate which Roll Code 2204 and Roll No. 0442 as appearing in the said tabulation register is Sadanand Kumar and not Suraj Kumar Sharma i.e. the petitioner. It has been stated accordingly in the counter affidavit that no favourable verification report can be sent by the Board. There is specific stand taken in the counter affidavit that the certificate on which



the petitioner is placing reliance as well as the mark sheet are forged and fabricated.

Learned counsel appearing on behalf of the petitioner, however, on the other hand, has placed heavy reliance on the certificate, copy of which has been annexed at Annexure-4 to the writ application, to contend that the certificate was issued in his favour by the Board and the petitioner had participated in the examination. Reliance is also being placed on the cross-list of Madhyama Examination, Year-2010/11, which has been annexed at Annexure-6 to the writ application, to show that the petitioner's name is there with Roll Code 2204 and Roll No. 0442.

However, there is no reason for the Court to doubt the correctness of the original tabulation register, which has been produced by the Board, in which name of the candidate with Roll Code 2204 and Roll No. 0442 is Sadanand Kumar is available and not the petitioner's name.

In view of the facts noted above, the relief which the petitioner is seeking, cannot be granted. In any view of the matter the Board is obliged to send the verification report to the Jail authorities, which must be done immediately.

I have not entered into the dispute as to which entry is



correct i.e. entry in the tabulation register or the entry made in the cross-list, copy of which has been annexed in the writ application since such dispute cannot be gone into in a proceeding under Article 226 of the Constitution of India. The petitioner shall be at liberty to pursue his remedy before any other forum as he may be advised.

This application is, accordingly, dismissed.

Let the original tabulation register be returned to the learned counsel for the Board.

(Chakradhari Sharan Singh, J)

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