

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18415 of 2018

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Satyam Kumar, Son of Indu Bhushan, Resident of Village – Ghosaith, Police Station – Piri Bazar, District – Lakhisarai.

... .. Petitioner/s

Versus

1. The Bihar School Examination Board, through its Secretary, Buddha Marg Road, Patna.
2. The Bihar School Examination Board, Patna having its office at Buddha Marg, Patna.
3. The Chairman, Bihar School Examination Board, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar
For the Respondent/s	:	Mr. Lalit Kishore
		Mr. Gyan Shankar

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-09-2018 The petitioner has participated in the Intermediate Compartmental Examination-2018, held by the Bihar School Examination Board. He has grievance against the evaluation of his Physics and Chemistry papers as according to him, despite his good performance, he has not been awarded sufficient marks. His score in Physics theory is 12 and in Chemistry theory is 04 out of 70 in each paper.

The learned counsel appearing on behalf of the petitioner, upon instructions, submits that the petitioner has applied for scrutiny on 08.09.2018. The outcome of scrutiny is not available.

Learned counsel appearing on behalf of the Bihar



School Examination Board submits that if the petitioner has applied for scrutiny, the outcome of the scrutiny shall not only be uploaded on the *website* of the Board, but will also be communicated to the petitioner within a reasonable time.

The learned counsel appearing on behalf of the petitioner, however, insists that the Court should direct production of the answer sheets for the purpose of evaluation under the direction of this Court. There is no provision for re-evaluation of the answer sheets under the Board's Regulations.

Based on the pleadings on record, no case of exceptional circumstance has been made out, which could have compelled this Court to issue appropriate orders for re-evaluation of the answer sheets in the interest of justice.

This application is accordingly disposed of with a direction to the Bihar School Examination Board to communicate to the petitioner the result of the petitioner's application for scrutiny, if has been made, within six weeks from the date of receipt/production of the copy of this order. It is, however, indicated that the petitioner shall be at liberty to obtain his answer sheets under the Right to Information Act. After obtaining copies of the answer sheets, if the petitioner can make out a case of exceptional circumstance, he will be at



liberty to approach appropriate forum in accordance with law.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

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