

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24466 of 2018

Shivam Sushant (Minor) under the guardianship of his natural

... .. Petitioner/s

Versus

The Union Of India & Ors

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dileep Kumar Jha
For the Respondent/s	:	Mr. S.D Sanjay, Addl. Soc. Gen.
For CBSE	:	Mr. Vinay Krishna Tripathy

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-12-2018 The petitioner is seeking direction to the Central Board of Secondary Education to re-evaluate answer sheets of all the subjects of the petitioner of his Class Xth Examination held by the Board in the year 2018.

From the pleadings and annexures on record, it is evident that the Board had allowed the candidates to apply for scrutiny/re-evaluation within stipulated time. The petitioner, admittedly, did not apply within the stipulated time. He applied much thereafter by way of representation, which has been rejected by order dated 27.07.2018 by the Board on the ground of delay.

Learned counsel appearing on behalf of the Board has contended that there is procedure prescribed, if a candidate seeks re-evaluation of the answer sheets. If a candidate wants



his/her answer sheet(s) to be re-evaluated, he/she is required to obtain photostat copies of the answer sheet(s) by making an application, which the petitioner did not do. In such circumstances, the relief, which the petitioner is seeking, cannot be granted.

I do not find any illegality in the decision of the Board in rejecting the petitioner's application, being time barred. The petitioner shall, however, be at liberty to apply for copies of the answer sheets under the Right to Information Act and, if after having obtained the answer sheets, he is in a position to make out a case for re-evaluation, he shall be at liberty to approach the appropriate forum in accordance with law.

This application stands disposed of.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

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