

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17806 of 2017

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Ram Prasad Ray, son of Late Ram Akbar Ray, resident of village Parkahan,
P.S. Baikunthpur, District – Gopalganj Petitioner

Versus

1. The State of Bihar through its Principal Secretary, Human Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Human Resources Department, Government of Bihar, Patna.
3. The Bihar School Examination Board through its Chairman.
4. The Chairman, Bihar School Examination Board, Patna.
5. The Secretary, Bihar School Examination Board, Patna.
6. The Examination Controller, Bihar School Examination Board, Patna.
7. The Central Superintendent, A N Smark High School Sirsa, Gopalganj.
8. The Head Master, A N Samark, High School, Sirsa, Gopalganj.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar
For the Respondent/s : Ms. BINITA SINGH -SC28

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 29-01-2018 The petitioner's daughter, Alka Kumari, had appeared for the matriculation examination, held in the year 2016, by the Bihar School Examination Board. It is her case that she was wrongly shown to have failed in the mathematics paper with only 14 marks out of 100, though she had performed well in the said examination.

An application for scrutiny was filed before the Bihar School Examination Board, but of no avail.

She was a student of A. N. Smarak High School, Sirsa, Gopalganj.

A counter affidavit has been filed on behalf of the



respondent-Bihar School Examination Board, stating therein that the scrutiny of the answer sheet of the petitioner's daughter was done on the basis of her application filed in that regard and it was found that she had, in fact, scored 59 marks as against 14, which was earlier shown in her result.

It has been stated in the counter affidavit that the outcome of scrutiny has been sent to the 'Processor by the Board vide its covering letter dated 06.12.2017 for preparing the result consequent upon scrutiny, which is under process'.

This writ application was registered on 01.12.2017 after service of notice on the Board on 29.11.2017. Only after filing of the present writ application, it appears that the Bihar School Examination Board took steps for verifying the status of the outcome of scrutiny in respect of the mathematics paper of the petitioner's daughter inasmuch as the outcome of the scrutiny has been sent to the Processor only on 06.12.2017. It appears that the Processor is required to prepare the result etc. For no fault of the petitioner's daughter, she has been made to suffer. It is not clear as to whether the result has been, in fact, prepared now on the basis of outcome of the scrutiny and has been communicated to the school concerned and the petitioner's daughter.



Negligence, callous and indifferent attitude on the part of the Bihar School Examination Board is manifest in view of the facts, noted above.

This application deserves to be allowed accordingly, with some cost.

The Bihar School Examination Board is accordingly directed to publish the revised result of the petitioner's daughter within one week from today. The Bihar School Examination Board shall be obliged to issue revised mark sheet other necessary certificates, consequent upon revision in the result of the petitioner's daughter within a maximum period of one week thereafter.

In addition, the Bihar School Examination Board shall be required to pay to the petitioner a cost of Rs. 10,000/-, for the harassment caused, which made him approach this Court for seeking the relief, as sought in the present writ application, which could have been taken care of by the Bihar School Examination Board itself.

This application is accordingly allowed with the cost, as above.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

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