

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3023 of 2018

Shiv Kumar Paswan, Son of Jugal Paswan, resident of Village- Baghla, P.O. Gorhiyari, P.S. Vishunpur, District- Darbhanga at present working as orderly in Dayanand Kanya Uchcha Vidyalaya, Jamalpur (Munger).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Mass Education, Department of Education, Government of Bihar, Patna.
3. District Education Officer, Munger, District- Munger.
4. Bihar Sanskrit Shiksha Board, Behind Hardings Roads, Patna through its Secretary.
5. Birendra Kumar Singh, Controller of Examination, Bihar Sanskrit Shiksha Board, Behind Hardings Road, Patna.
6. In-charge Headmistress, Dayanand Kanya Uchcha Vidyalaya, Jamalpur (Munger).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Durga Nand Jha
For the State	:	Mr. M.P. Yadav- GP-23
		Mrs. Meera Singh, AC to GP-23
For the Board		Mr. Satyam Shivam Sundaram
		Mr. Shashank Shekhar Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 14-12-2018 Heard the learned counsel for the parties.

The petitioner is working as a Peon in Dayanand Kanya Uchcha Vidyalaya, Jamalpur (Munger). Based on his qualification of having passed the Madhyama Examination held by the Bihar Sanskrit Shiksha Board(hereinafter to be referred to as 'the Board'), he had been issued the certificate and mark-sheet by the Board, in this regard. In order to verify the correctness of the certificate and mark-sheet, the District



Education Officer, Munger, has sought verification from the Board. The petitioner claims that he had passed the Madhyama Examination in second division, after having secured total 514 marks.

This is not disputed by the Board in its counter affidavit filed that the petitioner had scored the aforesaid marks. There is some dispute, which is being raised to the effect that, though the petitioner had scored 514 marks, the mark-sheet which he had submitted for the purpose of his appointment is not correct. The petitioner has been issued duplicate mark-sheet by the Board, which also depicts that he had scored total 514 marks.

Learned counsel, appearing on behalf of the petitioner, submits that if the Board does not send the verification report showing the petitioner to have passed the Madhyama Examination and scored total 514 marks, the validity of his appointment itself will become questionable.

In view of the counter affidavit, which has been filed on behalf of the Board, I direct the Board to send the verification report, along with a copy of the duplicate mark-sheet, which has been supplied to the petitioner. It is also observed that if the Board intimates the District Education



Officer, Munger that the petitioner had, in fact, scored 514 marks, on the basis of the record maintained by the Board, no further dispute shall be raised in respect of the petitioner's appointment as the peon.

This writ application is disposed of with the direction and observation, as above.

(Chakradhari Sharan Singh, J)

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