

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.752 of 2018

In

Civil Writ Jurisdiction Case No.2720 of 2018

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1. The Secretary, Bihar School Examination Board, Patna.
 2. The Examination Controller, Bihar School Examination Board, Patna.

... .. Appellant/s

Versus

1. Monika Kumari, a minor daughter of Dilip Kumar Singh, resident of Ramdauli, P.O. Bidupur Bazar, Police Station- Bidupur, District- Vaishali, the Petitioner is being represented by her father who is natural guardian of the petitioner.

..... Petitioner.... Respondent ^{1st} Set.

2. The State of Bihar through Principal Secretary, Secondary Education, Education Department, Government of Bihar, Patna.
3. The Director Secondary Education, Education Department, Government of Bihar, Patna.

..... Respondents... Respondents 2nd Set.

4. The Centre Superintendent of Intermediate Examination of Deochand College, Hajipur of the year 2017, Vaishali.
5. The Principal of Deochand College, Hajipur, Vaishali.
6. The Principal of B.M.D. College, Dayalpur (Vaishali), District- Vaishali.

... .. Respondents.... Respondents 3rd Set.

Appearance :

For the Appellant/s : Mr. Manish Kumar, Advocate
For the Respondent No.1 : Mr. Dilip Kumar Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 05-07-2018

Seeking exception to an order passed on 30th April, 2018
in CWJC No.2720 of 2018, this appeal has been filed under clause
10 of the Letters Patent.

Respondent-petitioner was a candidate, who had
appeared in the Intermediate (Arts) for the session 2015-17 from
B.M.D College, Vaishali. She took the examination with English



as one of the subjects and in the admit card, the Principal of the Institute made certain corrections. Be that as it may, the respondent-petitioner appeared in the subject of English, the answer sheet was evaluated by the Board and she obtained 62 marks in the subject in question. However, on the ground that in the on-line form generated, she was shown to be a candidate who had appeared in the Hindi Examination and as she was absent in the subject Hindi, her result was not declared even though Hindi was not her subject. It was her case that an error was committed in the on-line form and on evaluation of the fact, the Principal of the College corrected the admit card by replacing Hindi with English subject. She appeared in the English subject and secured 62 marks.

When the matter came to this Court, the Writ Court examined the matter and found that the respondent-petitioner has not committed any error. She genuinely appeared in the examination with the subject English, her answer sheet was correctly evaluated and 62 marks were awarded to her and holding that she was not responsible for the mistake that was committed has directed for declaration of result within two weeks. In our considered view, in doing so, for various reasons, as are indicated in the order under impugned in this appeal, we see no reason to make any indulgence into the matter. The learned Writ Court has



adopted a reasonable approach in legal manner and, therefore, no interference is called for. The appeal stands dismissed.

(Rajendra Menon, CJ)

(Rajeev Ranjan Prasad, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.07.2018
Transmission Date	

