

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13043 of 2018

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Saloni Bharti, D/o Sri Rajendra Ram, Resident of Village and P.O.- Manupur,
P.S.- Dighwara, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education,
Govt. of Bihar, Patna.
2. The Chairman, Bihar School Examination Board, Patna.
3. The Secretary, Bihar School Examination Board, Patna.
4. The Examination Controller, B.S.E.B., Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Shambhu Sharan Singh
For the B.S.E.B.	:	Mr. Girijesh Kumar
For the State	:	Mr. Amit Bhushan, AC to GP-17

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 13-09-2018 A counter affidavit has been filed on behalf of the Bihar School Examination Board in compliance of the order dated 20.08.2018. The answer-sheets of two subjects, namely, Physics and Mathematics have been produced before this Court. The petitioner is present in person, who has been given an opportunity to inspect the answer-sheets.

She does not dispute that the answer-sheets were written by her. Based on her instructions, learned counsel for the petitioner has attempted to persuade me that even if the petitioner's some of the answers were incorrect, she was entitled for some credit for the steps taken by her to answer these questions. This Court cannot go into the correctness of the



evaluation done by the examiner in the present proceeding.

The Board was directed to produce the answer-sheets for the Court's satisfaction, subject to payment of an amount of Rs. 30,000/- by the petitioner with the stipulation that if the claim of the petitioner is found to be baseless, the said amount shall be forfeited. In terms of the said direction, the said amount of Rs. 30,000/- has been deposited.

By virtue of the order dated 20.08.2018, the said amount would have stood forfeited, but in peculiar facts and circumstances of the present case, I direct that the said amount be returned to the petitioner.

Let the answer-sheets be returned to the learned counsel for the Bihar School Examination Board.

This disposes of the application.

(Chakradhari Sharan Singh, J)

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