

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15739 of 2018

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Anudan Rajan, Son of R.K. Rajan, Advocate, Resident of Hari Niketan,
Kankarbagh Main Road, Near Choudhary Petrol Pump, P.S.- Kankarbagh,
P.O.- Lohianagar, Patna-20, District- Patna.

... .. Petitioner/s

Versus

1. The Principal Secretary, Human Resources Department, Govt. of Bihar, Patna.
2. The Bihar School Examination Board, Bihar, Patna through the Secretary.
3. The Chairman, Bihar School Examination Board, Patna.
4. The Secretary, Bihar School Examination Board, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. R. K. Rajan
For the Respondent/s	:	Mr. Shankar Kumar, AC to GP-27
For B.S.E.B.	:	Mr. Lalit Kishore, Senior Advocate
		Mr. Satyabir Bharti
		Mr. Gyan Prakash

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 28-08-2018 A counter affidavit has been filed on behalf of Bihar School Examination Board, which has been taken on record.

The petitioner had taken Intermediate Examination, 2018, conducted by the Bihar School Examination Board. He has filed this writ application for a direction to the Bihar School Examination Board to grant '14' marks, being the mean of the marks, which he has obtained in Chemistry (11) and Mathematics (17), in the Physics subject of the said examination.

The petitioner has been awarded '02' marks in the said subject, which, according to the petitioner, is arbitrary and



irrational. According to him, he deserved much more that what has been awarded to him in the Physics paper. It seems that the petitioner had appeared in 2017 examination also, but he was declared fail because of his absence in Practical Physics paper, though, according to the petitioner, he was not absent rather present.

The relief, which the petitioner is seeking, cannot be granted. A candidate is entitled to marks on the basis of his performance in a particular paper and no mean marks, as claimed by the petitioner, can be allowed on the basis that in other subject the score was different. The petitioner had applied for scrutiny of his answer-sheet. However, the Board has found no requirement of any alteration in the marks awarded to him based upon scrutiny.

I do not find any merit in this application. This application is accordingly disposed of.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

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