

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7313 of 2020

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Om Prakash, son of Janardasn Paswan, Male, aged about 20 years, resident of village – Kalyanpur, P.S. - Jamui, District – Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna
3. The Chairman, Bihar State Education Board, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ankur Prakash Sinha
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 27-11-2020 Heard counsel for the parties.

The present writ application has been filed by the petitioner for a direction to the respondents to consider case of the petitioner for grant of grace mark in two subjects, i.e., Chemistry and Agriculture. As per the decision of the State Government as well as of Bihar School Examination Board with regard to examination of the year 2020. Despite indulgence granted by this Court, no counter affidavit has been filed by the respondents.

Counsel for the petitioner submits that Intermediate Examination, 2020 was held and petitioner failed in two subjects, namely, Chemistry and Agriculture, in the month of August, 2020 news items published in Indian Express to the



extent that Education Department as well as Bihar School Examination Board has decided that no compartmental examination shall be conducted and those who failed in two subjects would be promoted.

Considering the fact that respondents have not filed any counter affidavit, the present writ application is disposed of with a direction to the respondents Bihar School Examination Board to examine the claim of the petitioner and policy decision of the State Government and the Examination Board with regard to Promotion of candidates failed in two subjects. The respondents Bihar School Examination Board shall apply same policy decision with regard to awarding the grace mark in two subjects i.e., Chemistry and Agriculture in connection with the Intermediate Annual Examination, 2020 of petitioner.

Final decision in this regard may be taken by the respondents within a period of 60 days from the date of communication/production of the order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

B.Kr./-Ravi

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