

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.194 of 2021

Deepak Kumar, Son of Late Ram Pravesh Rai, Resident of Mohalla - Mauna
Mishri Toli, Bastikorar, Chapra, P.S. Town Chhapra, District - Chhapra.

... .. Petitioner

Versus

1. The State of Bihar.
2. The Controller of Examination (Miscellaneous) Bihar School Examination Board, Patna.
3. The Director/Prabandhak ion Digital Zone Phulwarisharif, Opposite Canara Bank, Chedi Tola, Near AIIMS Phulwarisharif, Patna - 801505.
4. The District Education Officer, Patna.
5. The District Programme Officer (Establishment), Patna.
6. The Block Education Officer, Phulwarisharif, Patna.

... .. Respondents

Appearance :

For the Petitioner : Mr.Upendra Kumar Singh
For the Respondent State: Mr. Madhaw Prasad Yadav, GP-23
For the Respondent BSEB : Mr. Gyan Shankar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 29-10-2021 This matter has been taken up *on-line* because of
COVID-19 restrictions.

Heard learned counsel for the petitioner and learned
counsel representing Bihar School Examination Board. Learned
counsel for the State has also assisted this Court.

The petitioner was appointed as Panchayat Teacher in
Primary School, Muraudpur, Block-Garakha in the district of
Saran. He was required to pass State Teachers Eligibility Test,
which was held on 18.09.2020. The petitioner had participated
in the test, but has been declared unsuccessful. It is the



petitioner's case that the computer system, which was provided to him for the test in question, was defective and the system was rattling whenever the petitioner attempted to answer the questions. It is accordingly the petitioner's case that the STET examination at the centre in question should be cancelled and the petitioner be treated to have cleared the test.

A counter affidavit has been filed on behalf of the Bihar School Examination Board, wherein it has been stated that when the petitioner raised the grievance of defective computer system, the same was forwarded to the Agency which had provided the wherewithal for holding the said eligibility test. The Agency has reported to the Board that there was no defect in the computer system at the concerned examination centre, namely, 'Ion Digital Zone, Phulwarisharif, Patna'. It has further been stated that the audit logs and the response sheet sent by the concerned Agency have been verified by the Board and it has been found that the petitioner had attempted only 43 questions out of 50, which was saved and seven questions were not attempted. Likewise, in the subject test, he had attempted only 55 questions out of 100 and 45 questions were not attempted.

Considering the nature of dispute, this Court is not inclined to entertain this application there being serious disputed



questions of facts involved. This application is accordingly dismissed.

The petitioner shall, however, be at liberty to approach appropriate forum which may resolve the nature of the dispute which the petitioner has raised in the present application.

(Chakradhari Sharan Singh, J)

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