

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3246 of 2021**Judgement reserved on : 6/09/2021Judgement delivered on :17/09/2021

Surendra Kewat Son of Itwari Kewat Aged About 24 Years R/o.
Ward No. 07, Lakhram, Bilaspur, District Bilaspur (Chhattisgarh)

---- **Petitioner**

Versus

1. State of Chhattisgarh, Through Its Secretary, Department Of Education, Mahanadi Bhavan, Atal Nagar, Naya Raipur, District Raipur (Chhattisgarh)
2. Secretary, Chhattisgarh State Open School Raipur, Distt. Raipur (Chhattisgarh)
3. District Education Officer, Bilaspur District Bilaspur Chhattisgarh.

---- **Respondents**

For petitioner - Shri B.L. Sahu, Advocate.
For Respondent/State – Shri Ravi Bhagat, Dy.GA.
For respondent No.2 – Shri Pankaj Agrawal, Advocate.

Hon'ble Shri Justice Goutam Bhaduri**CAV Judgement**

1. The petitioner who is a student of class 12th appeared in the open examination of class 12th at Government Higher Secondary School, Ratanpur. When the results were declared, according to petitioner he was not given the expected marks in the subject of Hindi and Biology, as such petitioner was dissatisfied. By way of instant petition prayer is made to give a direction to the respondent/authorities for revaluation of the said subject of Hindi and Biology.

2. The respondent No. 2 Chhattisgarh State Open School has placed document on record and would submit that nature of exam was open examination wherein the students were allowed to take the question paper and answer sheet to the house and after five days it was to be deposited after completing the answer sheet. It is contended considering the nature

of examination, the policy do not allow for revaluation.

3. Heard the learned counsel for the parties and perused the records.

4. The issue is very limited. The respondent decided to conduct an open examination. The documents which are placed by the respondent shows the scheme of the open examination wherein it shows that the examinee had to receive the question paper and answer sheet from the examination centre and after writing the answer of examination, the answer sheet was required to be deposited after five days. The direction which is placed on record dated 25/06/2021 further purports that for year 2021 the revaluation would not be allowed.

5. The petitioner therefore appears to have accepted the open examination wherein revaluation was not allowed. In view of such policy, the petitioner cannot claim for any revaluation. Even otherwise the nature of the examination shows the student would be given the question paper and answer sheet and he was required to write it at his home and deposit it back after five days. The nature of examination whether would be a true evaluation test of a student or not it is a debatable issue. The kind of examination which is conducted and method to evaluate the standard of a student would much depend on the surrounding and outer connection of students and their parents instead of the actual talent of the student. Any student can avail or hire the services of the expert on his personal connections to get the best proxy answer. Therefore the students who have procured the numbers to a high rank is an artificial evaluation. The standard may be realised in a future examination by outside agency of State which may not be to interest of student.

6. Accordingly, the petition is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE