

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13962 of 2021

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1. Shruti Rani D/o Sri Pramod Kumar Sharma and Ranju Kumari R/o Village- Bahuara Road Deo, P.O. and P.S.- Deo, District- Aurangabad.
 2. Ranju Kumari W/o Sri Pramod Kumar Sharma R/o Village- Bahuara Road Deo, P.O. and P.S.- Deo, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Bihar School Examination Board through its Secretary, Budh Marg, Patna, Bihar.
4. The Chairman, Bihar School Examination Board, Budh Marg, Patna, Bihar.
5. The Secretary, Bihar School Examination Board, Budh Marg, Patna, Bihar.
6. The Examination Controller, (Secondary) Education, Bihar School Examination Board Budh Marg, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mrityunjay Kumar, Adv. Mr. Mukesh Kumar, Adv.
For the State	:	Mr. Vivek Anand Amritesh, AC to SC 28
For the B.S.E.B.	:	Mr. Gyan Shankar, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

- 2 15-09-2022 1. The petitioner prays to set aside the order dated 18.11.2020 issued by the respondent Board, whereby the application for re-evaluation scrutiny of OMR answer-sheet of the subjects of Secondary Examination has been rejected.
2. Learned counsel submits that on having obtained a copy under RTI, the petitioner found that her answer-sheet has not been properly evaluated and she deserves to be given more marks than what have been granted to her.



3. It is a known fact that whoever appears for an examination always expects marks according to his own expectations. However, if he receives lesser marks, then he has a grudge against the examiner and if he receives more marks than what he expects then he thanks God. Thus, evaluation by the candidate who appears in the examination is always different from the evaluation done by the examiner. Even if the petitioner may have received a copy of her answer-sheet and found that the examiner should have given more marks, re-evaluation of the said basis cannot be allowed, as it is the sole discretion of the examiner to allot marks and not the candidate who appears for the examination.

4. Keeping in view, thereto, the contention of the petitioner for re-evaluation of his answer copy is found wholly misconceived and is accordingly rejected.

5. The writ petition is dismissed accordingly.

(Sanjeev Prakash Sharma, J)

sachin/shaswat
Item No. 29

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