

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16070 of 2022

Vijay Kumar Prajapati Son of Late- Dasarath Prajapati, Resident of Village and P.O. and P.S.- Goh, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education and Human Resources, Bihar, Patna.
 2. The Secretary, Bihar School Examination Board, Patna.
 3. The Commissioner, State Information Council Bihar,
 4. The Secretary, State Information Council, Bihar, Patna.
 5. Public Information Officer, Bihar School Examination Council, Bihar, Patna.
 6. Public Information Officer, State Council of Educational Research and Training, Bihar.
- Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dr. Iti Suman, Adv. Ms. Shruti Singh, Adv.
For the State	:	Mr. Sanjay Kumar(AC to GP23)
For the BSEB	:	Mr. Gyan Shankar, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

- 2 30-11-2022 1. The petitioner has by way of this writ petition prayed for providing him copy of the answer sheets and question booklet for the Teachers Eligibility Test conducted by the respondent Board in the year 2011. Further prayed to direct the respondents to compensate him, by providing an opportunity to appear in the subsequent examinations of Bihar Elementary Teachers Eligibility Test. Learned counsel submits that the list of only those who have cleared the examination was published and the result of the petitioner was not published as he was not successful in the examination.
2. The prayer made by the petitioner for supplying photocopy of the answer sheets and question booklet is misplaced. Such a prayer can be made under the R.T.I. alone and not before this



Court. Inherent power of issuing writ would not be ordinarily exercised in cases where there is already a provision available under statute.

3. With regard to the second prayer, this Court finds that there is no embargo on any person to appear afresh in a Teachers Eligibility Test. If a candidate has failed in a particular Teachers Eligibility Test, he or she has a right to appear afresh, provided he is meeting with the requisite eligibility conditions. Of course, if a person has become overage or does not fulfill the requisite conditions, he may be denied to appear. Teachers Eligibility Test is a competitive examination conducted by the Board which is a requisite qualification for the purpose of appointment of a teacher in terms of the Rules laid down by the N.C.T.E. In view of above, the second prayer made by the petitioner is also found to be wholly misconceived.

4. The writ petition is found to be without merits and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

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