

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 524 of 2019

Bijayalaxmi Dora

....

Appellant

Mr. Himanshu Bhusan Dash, Advocate

-versus-

State of Odisha and Others

....

Respondents

Mr. Debakanta Mohanty, Addl. Govt. Advocate

CORAM:

THE CHIEF JUSTICE

JUSTICE M.S. RAMAN

ORDER

29.11.2022

Order No.

02. 1. The present appeal is directed against an order dated 12th September, 2019 passed by the learned Single Judge dismissing W.P.(C) No. 16124 of 2019 filed by the present Appellant.
2. The prayer in the writ petition by the Appellant was that the Opposite Parties had failed to award 'appropriate marks' in respect of questions both in objective and subjective papers in the High School Certificate Examination (Regular) for the year 2018 held in the month of February, 2018.
3. According to the Appellant, she should have been given more marks in one objective MCQ Part I Paper for question No.46 and four other answers in the subjective papers.

4. Apparently, the Appellant did apply for revaluation of her answer sheets. The reply received from the Board of Secondary Education, Odisha by the letter dated 8th August, 2018 was that after careful consideration of her request it had been decided not to enhance any marks in the objective paper as the scoring key has been verified by the 'Questions Analysis Committee' and the Committee opined that the scoring key is absolutely correct. As regards the subjective papers, the reply was that there was no change in the marks.

5. The learned Single Judge declined to interfere after noting that the Board has "after rechecking and readdition of marks in respect of the answer books on the subjects applied for by the Petitioner" communicated that there is no change of mark.

6. During the course of his submission, learned counsel for the Appellant informs the Court that the Appellant has since proceeded with further studies and she is perhaps now pursuing her Graduate Degree. The only difference that it would make to the Appellant is that if she had succeeded in the writ petition, she might get 1 more mark which would place her in the A1 Grade instead of the A grade.

7. In academic matters, particularly questions of evaluation and re-evaluation, the scope of interference by the writ Court is extremely narrow. Unless the procedure adopted is shown to be totally perverse or contrary to the acceptable Regulations or Rules, there is no question of interfering with the marks awarded to the questions by the examiners. In the circumstances of the case as explained as noticed hereinbefore, the Court is not satisfied that any error has been

committed by the learned Single Judge in declining the reliefs prayed for by the present Appellant. With there being no grounds made out for interference, the appeal is dismissed.

(Dr. S. Muralidhar)
Chief Justice

(M.S. Raman)
Judge

S.K. Jena/Secy.

