

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5925 of 2023

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Kapildeo Rajak, Son of Late Banarsi Rajak, Resident of Village Pairgaha,
P.O. Saiya, P.S. Jhajha, District- Jamui.

... .. Petitioner

Versus

1. The State of Bihar through the Director, Primary Education, New Secretariat, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna.
3. The District Education Officer, Jamui.
4. The District Programme Officer (Establishment), Jamui.
5. National Institute of Open Schooling, through its Regional Director, Lalit Bhawan, Jawahar Lal Nehru Marg, Patna.
6. The Regional Director, National Institute of Open Schooling, Lalit Bhawan, Jawahar Lal Nehru Marg, Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh, Advocate
For the Respondent/s : Mr. Ram Tulabh Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-06-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner submits that the result of the petitioner has, though, been published but his result contains an endorsement which will be found from the remarks recorded at the bottom of the result (Annexure '4'). The remarks reads "NC- Not Certified due to not fulfilling the Eligibility Criteria of 45% marks in class XII. Certification will be done after due verification".

Learned counsel for the petitioner submits that the issues relating to this kind of remarks made on the certificate



has been earlier considered by this Court in CWJC No. 16214 of 2019 and other analogous cases which has been disposed of vide order dated 19.10.2022. Learned counsel points out that in paragraph '19', this Court has discussed the category of cases within which the case of the writ petitioner would fall.

Learned counsel for the State is present and he does not dispute the aforesaid contention.

In the aforesaid view of the matter, this Court grants liberty to the petitioner to make an appropriate representation before Respondent No. 5 within a period of 30 days from today which will be considered by Respondent No. 5 and its authorities in the light of the judgment of this Court in CWJC No. 16214 of 2019 and other analogous cases and shall take an appropriate decision consistent with the decision of this Court.

Such decision shall be taken and communicated to the petitioner within a period of two months from the date of receipt of the representation with a certified copy of this order.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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