

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14345 of 2021

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Sumit Kumar Choudhary, Sonof Om Prakash Choudhary Resident of village -
Pathantoli, P.S. - Maner, District- Patna.

... .. Petitioner/s

Versus

1. The Bihar School Examination Board, through The Chairman.
2. The Chairman, Bihar School Examination Board, Patna.
3. The Secretary, Bihar School Examination Board, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.Sunil Kumar Mandal. Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 25-08-2023 No one appears for the petitioner to press this writ application. Mr. Sunil Kumar Mandal, learned counsel for the Bihar School Examination Board is present.

This Court has been informed that the result of the S.T.E.T., 2019 has already been published and there was no negative marking of the answer-sheets. Learned counsel submits that this case is equally covered by the order of this Court passed in CWJC No.12582 of 2021 on 11.07.2023. The operative part of the said order reads as under:-

“Having heard learned counsel for the petitioner and learned senior counsel for the Board as also on perusal of the records, this Court finds that the respondent- Board has taken acategorical stand that the petitioner has obtained less than 45%marks, therefore, he has



not been declared qualified. The grievance of the petitioner with reference to the grace marks allowed in some of the examinations would not be a ground for him to take a plea that this Court may issue a Writ of Mandamus directing the respondents to continue with such policy of awarding grace marks.

In the opinion of this Court, it is in the domain of the Institution/ Board only to take such policy decisions depending upon the circumstances which in their opinion demand such decision. So far as this Court is concerned, since the petitioner has failed to demonstrate that he has any legal right under which the respondent may be forced to award a grace mark, this Court would refrain from issuing a Writ of Mandamus.”

This writ application is disposed of in terms of the order of this Court in CWJC No.12582 of 2021.

(Rajeev Ranjan Prasad, J)

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