

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.155 of 2024

Md. Sohail Qamar S/o Md Ansar Jang Khan, Resident of Village-Juakhar,
P.S- Shahkund, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Education Department, Govt. of Bihar, Patna.
4. The Bihar School Education Examination Board through its Secretary, Govt. of Bihar, Patna.
5. The Chairman, Bihar School Examination Board, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Akash Raj
For the Respondent/s	:	Mr. Additional Advocate General 05
For the Respondent		
Nos. 4 and 5	:	Mr. Ajay Behari Sinha
	:	Mr. Upendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-01-2024 1. Heard the parties.
2. The petitioner has filed the present writ application for quashing Clause 6 of the Advertisement No. PR/442/2023 as contained in *Annexure-P/1* issued by the Bihar School Examination Board by which no age relaxation to the candidate has been granted on the ground that examination was being conducted every year and was conducted in the year 2023 also.
3. Learned counsel for the petitioner admits that the



petitioner had appeared in the S.T.E.T. 2023 Examination but could not succeed. He, however, submits that one more opportunity, after giving age relaxation to the petitioner, be given by the Board on equitable consideration inasmuch as in the previous years, the examinations were not held regularly. He relies upon an order of the Co-ordinate Bench of this Court in C.W.J.C. No. 20587 of 2019 for grant of equitable relief and submits that this Court had earlier, for T.E.T. Examination, had granted one time age relaxation to all the candidates so that they may appear in T.E.T. 2019 Examination.

4. On the other hand, learned counsel appearing for the Board, referring to Clause 6 of the advertisement, submits that it has specifically been mentioned that S.T.E.T. Examination was held regularly and in 2023 also, examination was held in which the petitioner participated but could not succeed, as such, no equity is there in favour of the petitioner and Clause 6 (Ga) of the Advertisement is not arbitrary.
5. I have heard learned counsel for the parties.
6. After going through the provisions of Clause 6 (Ga) and



the fact that S.T.E.T. Examination was being held regularly and was also held in the last year i.e., 2023, I am of the opinion that the terms of the Advertisement, at Clause 6, are not unreasonable and arbitrary.

7. In the result, the present writ application, having no merit, stands dismissed.

(Anil Kumar Sinha, J)

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