

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3960 of 2020

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Chandan Kumar, Son of Raghvendra Singh Resident of Village- Barahiya,
Police Station- Barahiya, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Law Secretary, Law Department,
Government of Bihar, Patna.
2. The Registrar General, Patna High Court, Patna.
3. The Convenor, Co-ordination Committee, Patna-cum-District and Sessions
Judge, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Manish Dhari Singh, Adv.
For the State	:	Mr. Prashant Pratap (GP-2)
For the Respondent PHC:		Mr. Satyabir Bharti, Adv.
		Ms. Kanupriya, Adv.
		Mr. Abhishek Anand, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner, learned
counsel for the respondents.

2. The present writ petition has been filed challenging
the re-evaluation of the answer sheet of stenography test of the
petitioner which was conducted pursuant to the Employment
Notice No.02/2016 annexed as Annexure-1 for appointment to
the post of Stenographer in the Sub-ordinate Courts of Bihar.

3. Learned counsel for the petitioner submits that the
respondent be directed to call the petitioner for interview and
thereafter, recommended his name for appointment on the post
of Stenographer in connection with Employment Notice No.



02/2016. Counsel also submits that the petitioner has appeared in the examination by way of filing online application *vide* Employment Notice No. 02/2016 in March 2016 in the prescribed proforma for preparation of penal of suitable candidates for appointment on the post of Stenographer Hindi/English/Bilingual in the Sub-ordinate Courts of Bihar. The petitioner appeared in the test in which online shorthand and typing test of both English and Hindi followed by an online test of English/Hindi of 90 marks only conducted and on the basis of above said tests, interview of 10 marks of only qualified candidates conducted for appointment to the post of English and Hindi Stenographer. According to the condition, the penal has to be prepared which was valid for a period of two years from the date of preparation thereof.

4. Learned counsel for the petitioner further submits that the test center was Tata Consultancy Service (TCS). In the said test, the cut off marks for selected list of candidates was 46.47 and schedule date of interview was 30.03.2019. Counsel also submits that the marks obtained by all the candidates appeared in the Multiple Choice Question (MCQ) test & Stenography test held on 01.09.2018, 02.09.2018 and 03.09.2018 was published on 24.02.2019 on the website of Civil



Court of Patna and after publication of marks statement on 27.04.2019, it was ascertained that the petitioner had obtained total 58.73 marks (23 marks in Hindi, 6 marks in English and 29.73 marks in stenography). Counsel further submits that on the basis of question text supplied to the petitioner under RTI, it transpires to him that actually more than two questions were wrong and due to the wrong questions, the petitioner had obtained less marks. Counsel also submits that he has written the correct spelling of words which has not been taken into consideration as the evaluator has calculated marks for terminology which can be written in different way also. Counsel also submits that after getting information under RTI, he has filed representation, but his representation has not been disposed off till date.

5. Learned counsel for respondent no.2 and 3 fairly submits that as per the standard fixed, if any candidate who shall commit error more than 25% in the stenography test, he shall be disqualified. In case of the petitioner, the error was more than 25% in the stenography test and therefore, he declared disqualified. Counsel further submits that no discrimination has been made with the petitioner and the examination has been conducted through a well reputed agency i.e. TCS and a uniform



methodology of evaluation of the papers has been adopted for all the candidates appearing. Therefore, it is not the case of any discrimination with the petitioner. Counsel submits that the petitioner has not been selected only due to the reason of “*unfit simplicitor*”.

6. In the light of the submissions made by the parties, this Court is of the view that in the examination process, there was no discrimination made with the petitioner and a uniform methodology have been applied for the evaluation of papers of all the candidates including the present petitioner and as such, this Court restrain itself to entertain the writ petition.

7. Accordingly, with the aforesaid observations, this writ petition is hereby dismissed.

(Dr. Anshuman, J.)

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