

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8818 of 2022

Naushad Alam Son of Anwar Alam alias Anwar Hussain Resident of Village-
Kajipur (Qazipur), Post Office- Bathua Bazar, Police Station- Phulwariya,
District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Director, Primary Education, Bihar, Patna.
2. The District Magistrate Gopalganj.
3. The District Programme Officer (Establishment) Gopalganj.
4. The Block Education Extension Officer Phulwariya Block, Gopalganj.
5. The Superintendent of Police Vigilance Investigation Bureau, Bihar, Patna.
6. The Bihar School Examination Board Through its Secretary, Bihar, Patna.
7. The Secretary Bihar School Examination Board, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Prabhakar Singh, Advocate Mr. Lokesh Kumar Singh, Advocate Mr. Harsh Pratap Yadav, Advocate
For the Respondent/s	:	Mr. Prabhakar Jha (Gp 27) Mr. Umesh Narayan Dubey, AC to GP-27
For the BSEB	:	Mr. Siddhartha Prasad, Advocate Mr. Sunit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL ORDER

15 31-07-2025 Heard Mr. Prabhakar Singh learned counsel for the

petitioner, Mr. Umesh Narayan Dubey learned counsel for the

State and Mr. Sunit Kumar, learned counsel for the Bihar School

Examination Board.

2. The petitioner by means of this writ petitioner has
challenged the order dated 24.12.2018 and 15.01.2019 passed
by the Bihar School Examination Board/ respondent Nos 6 & 7
informing that the class 10th result of the petitioner has been
cancelled on 11.06.2001.

3. In the counter affidavit filed by the Board/



respondent Nos 6 & 7 it has been stated in paragraph No. 7 that the petitioner was a candidate of Annual Secondary School Examination of 2000 under Roll Code 9317, Roll No. 521 and he had appeared and given the said matriculation examination from Jairam Prasad Tiwari High School, Dahibhatta, Gopalganj. The relevant page of the Original Tabulation Register (OTR) containing the result of the petitioner in the said matriculation examination has been looked into and verified and in the course of verification of the result of the petitioner it has been found under the relevant column of the page containing the result of Annual Matriculation Examination 2000 pertaining to the Jairam Prasad Tiwari High School, Dahibhatta, Gopalganj, as blank (no marks) and it has been recorded as cancelled.

4. The petitioner though has put to challenge the cancellation of his class 10th result by the Board/ respondent Nos 6 & 7, but the petitioner has not enclosed the class 10th pass certificate from the school mentioned hereinabove to prove that he had passed the class 10th examination from the school, under the Roll Code, Roll No. and the year under reference so that further enquiry can be made in the present writ petition.

5. In light of the averments made by the Board/ respondent Nos 6 & 7 in paragraph-7 of the counter affidavit



filed that the Roll Code, Roll No., School and Year under which the petitioner claims to have passed the class 10th examination, the record available with the Board reveals that the said result has been recorded as cancelled in the record of the Board and in the absence of petitioner discharging his burden of proof to the extent that he has passed his class 10th examination under the Roll Code, Roll No., Year and the School by enclosing a certificate containing the aforesaid particulars of the petitioner having passed the class 10th examination, no further enquiry/determination is possible in the present writ petition to come to a conclusion that the petitioner had passed his class 10th examination from the School, Year under the Roll Code and Roll No. and that the order dated 24.12.2018 and 15.01.2019 by the Board/respondent No. 6 & 7, that the petitioner's class 10th result has been cancelled way back on 11.06.2001 suffers from any illegality.

6. Under the circumstances, this writ petition stands dismissed.

(Nani Tagia, J)

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