

(2018) 11 PAT CK 0038

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No 14839 of 2016

Gouhar Idris S/o Md Idris and ors @APPELLANT@Hash State of Bihar and ors

Date of Decision : 26-11-2018

Acts Referred:

Citation : (2018) 11 PAT CK 0038

Hon'ble Judges : Madhuresh Prasad, J

Bench : Single Bench

Advocate : Subodh Kr Jha, Ramchandra Jha Raman, Mukund Mohan Jha, Amrendra Kumar

Final Decision : Dismissed

Judgement

MADHURESH PRASAD

1. Heard learned counsel for the petitioners and the respondent-Bihar School Examination Board (for brevity, the Board).

2 The petitioners appeared at the Special Teachers Eligibility Test (for brevity, STET) conducted for Urdu and Bengla Teachers held on 01.10.2013.

On the averments made in the writ petition, it is apparent that the result was revised few times and final revised result was declared on 17.11.2014 by

the Board. The Board decided to grant 13 marks against the defective 13 questions found in the question paper. As per averments made in the writ

petition, the said marks, however, have not to be granted to those who have been granted marks in those questions.

3 The petitioners have approached this Court complaining that as a result of such revision of the marking, they have been placed below, what they

were initially awarded in the first result.

4 Petitionersâ?? admitted case is that the cut off marks for selection was 74 fixed

by the Board and that the petitioners received only 73 marks.

None, below the petitioners's marks, have been selected in the STET. Apart from that, this Court would observe that the results were revised

keeping in view the defective questions. The effect of the revision was uniformly applicable to all concerned and the petitioners cannot claim to have

suffered any prejudice on account of such uniform revision of the results. Apart from that, the final result was declared on 17.11.2014 as per the

averments made in the writ petition itself.

5 As a result of such revised final result, the rights had accrued in various other persons who were admittedly having more marks than the petitioners.

In view of such revision, third party interest has accrued, resort to the instant writ petition two years after declaration of the result, also suffers with

delay and laches.

6 The writ petition, for the reasons indicated hereinabove, therefore, is devoid of merit and the same is dismissed.