

(2008) 09 PAT CK 0002
In the Patna High Court
Case No : CWJC No. 4896 of 2008

Nidhi Kumari

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 23-09-2008

Acts Referred:

Citation : (2009) 1 PLJR 360

Hon'ble Judges : J.N. Singh, J

Bench : Single Bench

Judgement

J.N. Singh, J.—Petitioner in this case has prayed for a direction to the respondent-Board to hold special examination of Prathama of Sessions 2007-08 for which petitioner and other students of the Class had filled up forms and deposited fee from Daroga Shahi Awasiya Sanskrittochch Vidyalaya, Rampur under Aurai Block of district Muzaffarpur. Case of the petitioner is that in spite of filling up form and deposit of fee, respondent-Board did not issue admit card and did not intimate the center from where she had to appear and therefore, she could not appear in the examination which was held in March, 2008.

2. A counter affidavit has been filed on behalf of the Board stating therein that the center for examination of students of Prathama of the School concerned was fixed at Saraswati Sanskrit Madhya Vidyalaya, Lakhanpur, Muzaffarpur. However, the Center Superintendent did not collect the admit cards of the petitioner and other students from the Board and therefore, petitioner and other students of Prathama of the Institution in question could not appear in the examination. In spite of repeated notices in newspaper, no step was taken by the Institution of the petitioner as well as petitioner for collecting the admit cards. However, in the counter affidavit it is stated that now petitioner and other students of Prathama of the School in question shall be allowed to appear in the next ensuing examination of Prathama which is going to be held early next year.

3. In that view of the matter, it will not be proper for this Court to direct the Board to hold any special examination for petitioner and other students of

Prathama of the Institution. However, fee deposited by them for appearing in the examination of March, 2008 shall be adjusted against the requisite fee for their appearance in the next ensuing examination. Since the contention of the Board is that admit cards were ready but the same were not collected by the Center Superintendent, therefore, the Board shall be well advised to make necessary correction in the admit cards or issue fresh admit cards in respect of the petitioner and other eligible students of Prathama of the Institution, who have already deposited requisite fee, and ensure that admit cards are received by the candidates well in time so that they may come to know about the date and center of examination where they have to appear. With this observation and directions, this writ application stands disposed of.