
(2002) 09 JH CK 0074

In the Jharkhand High Court

Case No : Writ Petition (C) No. 5413 of 2002

Smt. Sunita Kumari

APPELLANT

Vs

Bihar School Examination Board and Others

RESPONDENT

Date of Decision : 16-09-2002

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2002) 09 JH CK 0074

Hon'ble Judges : S.J. Mukhopadhaya, J

Bench : Single Bench

Advocate : M.M. Pan and P. Kr, for the Appellant; Navin Kumar, for the Respondent

Judgement

S.J. Mukhopadhaya, J.—The petitioner has challenged the order dated 6th October, 2001, issued by the Jharkhand School Examination Board, Ranchi whereby she has been informed that her result of Teacher's Training Examination, 1994 for the session 1988-90 cannot be declared she having shown "absent" in the practical examination.

2. According to the petitioner she appeared in the Teacher's Training Examination, 1994 with Roll Code 1251, No. 17, including the practical papers. On the other hand, according to respondents, the petitioner had not appeared in the practical examination. The Bihar School Examination Board, who conducted the Examination, has enclosed a letter of Secretary, Bihar School Examination Board, Patna dated 9th October, 2001 written to the Secretary, Jharkhand School Examination Board, Ranchi, stating therein that the petitioner had not appeared in the practical examination so she was declared fail. On the other hand, the petitioner has enclosed document to suggest that she had appeared in the practical examination which was kept pending for reasons best known to the respondents. Subsequently, the marks was communicated by the external examiner. Reliance has been placed on a letter of the examiner dated 26.12.1997 as contained in Annexure-5 and the Tabulation Chart.

3. In the facts and circumstances, as the matter requires reconsideration the Secretary, Bihar School Examination, Patna is directed to enquire the matter from the Principal of the School, the external examiner etc. and determine the issue whether the petitioner appeared in practical examination and any mark was allotted to her or not and communicate the decision to the petitioner within four months from the date of receipt/production of copy of this order.
4. It may be mentioned that the Court has not determined the claim on merit.
5. The writ petition stands disposed of with aforesaid observations and directions.