

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 5223 of 2019

Ram Narayan Sahu

..... Petitioner

Versus

1. The State of Jharkhand
2. The Secretary, Department of School Education and Literacy, Government of Jharkhand, Ranchi
3. Jharkhand Academic Council, through its Chairman, Ranchi
4. The Secretary, Jharkhand Academic Council, Ranchi

..... Respondents

CORAM

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner:

Mr. Nikhil Ranjan

For the JAC:

Ms. Richa Sanchita

05/24.06.2020 The case is taken up through Video conferencing.

The present writ petition has been filed for issuance of direction upon the respondents to consider the answer sheet of the petitioner afresh in relation to the JTET Examination which was conducted by the Jharkhand Academic Council (JAC) pursuant to Advertisement No. 47/2016.

The case of the petitioner is that subsequent to the JTET examination conducted in terms with Advertisement No. 47/2016, a dispute arose with regard to the answer key in relation to question No.9 of Hindi subject i.e. '*Nilambar Kaun Samas Hai?*' which had four answer options (A) Tatpurush (B) Karmadharay (C) Abyayibhav (D) Bahubrihi. The petitioner had given answer as option 'D' to question No.9 of the said subject. In the earlier answer key uploaded by the JAC, option 'D'-Bahubrihi was said to be the correct answer of question No.9. After sometime, a fresh/final answer key was uploaded in which option 'B'- Karmadharay was reflected as correct answer instead of earlier option 'D'. Some of the candidates agitated the said issue before this Court and the learned Division Bench in L.P.A. Nos. 305/2018 & 306/2018, after considering the opinion of the Head of the Department, P.G (Hindi), Ranchi University, Ranchi, vide order dated 02.01.2019, held that both the options i.e. 'Bahubrihi' and 'Karmadharay' are the correct answers. Thus, the petitioner should be awarded marks for the said answer and accordingly his answer sheet

should be re-evaluated. The petitioner had earlier represented before the respondent-JAC on 10.04.2017 for awarding him marks for giving the answer as option 'D'-Bahubrihi, a copy of which has been annexed as Annexure-5 series to the writ petition.

Ms. Richa Sanchita, learned counsel for the respondent-JAC, submits that though the petitioner had earlier represented the JAC requesting inter alia for awarding him marks for the said question, however, after disposal of L.P.A. Nos. 305/2018 & 306/2018, the petitioner has not represented the JAC.

Heard learned counsel for the parties and perused the contents of the present writ petition. According to the petitioner, he had answered question No.9 as option 'D'-Bahubrihi. There were two correct answers i.e. option 'B'-Karmadharay and option 'D'-Bahubrihi. The petitioner had answered option 'D'-Bahubrihi. The said dispute was put to rest vide order dated 02.01.2019 passed by the learned Division Bench of this Court in L.P.A. Nos. 305/2018 & 306/2018 wherein after getting opinion from the Head of Department, P.G (Hindi), Ranchi University, Ranchi, the learned Division Bench has held that both the answers i.e. 'Karmadharay' and 'Bahubrihi' are correct. Since the said issue has already been put to rest, in my view, the case of the petitioner is required to be considered by the respondent-JAC. Hence, the respondent-JAC is directed to take up the answer sheet of the petitioner in relation to the JTET Examination which has been conducted as per Advertisement No. 47/2016 and to consider the same in terms with the order dated 02.01.2019 passed by the learned Division Bench of this Court in L.P.A. Nos. 305/2018 & 306/2018. The said exercise must be completed by the respondent-JAC within a period of four weeks from the date of receipt/production of a copy of this order.

The present writ petition is accordingly disposed of with the aforesaid direction.

Consequently, I.A. No. 2767/2020 also stands disposed of.