

# THE HIGH COURT OF MEGHALAYA

## WP(C). No. 282 of 2016

Smti. Wandasara Nongbri  
 Mother of  
 Master Adrian Lara Nongbri  
 Daughter of Late R.C.Diengdoh  
 Resident of R.R.Colony, Plot No. 137  
 Lane No. 10, Rynjah,  
 Shillong – 793006  
 Dist. East Khasi Hills, Meghalaya.

**... Petitioner**

**-Versus-**

1. State of Meghalaya,  
 Represented by the Commissioner  
 and Secretary, Education Department,  
 Meghalaya, Shillong.
2. Meghalaya Board of School Education  
 Represented by the Executive Chairman,  
 Tura, Meghalaya.
3. The Controller of Examinations,  
 Meghalaya Board of School Education,  
 Tura, Meghalaya.
4. The Principal,  
 St. Anthony's Higher Secondary School,  
 Laitumkhrah, Shillong – 3.

**...Respondents**

**BEFORE  
 THE HON'BLE MR JUSTICE S.R.SEN**

For the petitioner	:	Mr. K.C. Gautam, Adv.
For the respondent	:	Mr. L.Khyriem, Adv. Mr. H.L.Shangreiso, Adv. Mr. K.Barua, Adv.
Date of hearing	:	31.05.2017
Date of Judgment	:	31.05.2017

## **JUDGMENT AND ORDER (ORAL)**

1. Heard Mr. K.C.Gautam, learned counsel for the petitioner, Mr. K.Barua, learned counsel for the respondent No. 1, Mr. L.Khyriem, learned counsel for the respondents Nos. 2 & 3 and Mr. H.L.Shangreiso, learned counsel for the respondent No. 4.

2. The petitioner's case in a nutshell is that:

*“The short facts leading to the institution of this application under Article 226 of the Constitution of India seeking appropriate direction/order in the nature of Mandamus or any other like applicable Writs or direction/directions is that Master Adrain Lara Nongbri, son of the Petitioner herein was a student of St. Anthony's Higher Secondary School, Shillong, who appeared in the SSLC Examination – 2016 conducted by the Meghalaya Board of Secondary Education from 02-03-2016 to 14-03-2016.*

*The format for Secondary School Examination as prescribed by the Meghalaya Board of Secondary Education under its Regulations is that Examinations for each subject will be held for a total of 100 Marks out of which 20 Marks are to be allotted to the candidates on the basis of internal assessment and the remaining 80 Marks are to be allotted on the basis of a candidates performance in the External Examinations.*

*The Petitioner's son throughout his Schooling career has been an exceptionally good student who has regularly topped the class and as expected by the Petitioner, Teachers and others who were known to the Petitioner's son were expecting that Master Adrian Lara Nongbri would excel in the Board Examination of 2016 conducted by the MBOSE in flying colours.*

*The result of SSLC 2016 was declared by the Respondent MBOSE on 25-05-2016 and the Petitioner's son scored 559 Marks out of a*

*total of 600 Marks and thus stood in the 9<sup>th</sup> Position amongst the List of Successful Candidates. The Results of SSLC 2016 came as a shock to the Petitioner, her son and some of the Teachers of the School who were expecting Master Adrian Lara Nongbri to feature in the List of Top Three Meritorious Students. What further surprised the Petitioner was the Internal Assessment Marks obtained by Master Adrian Lara Nongbri.*

*This issue was brought to the Notice of the Principal of St. Anthony's Higher Secondary School and after thorough inquiry it was discovered that inadvertently the Marks obtained by another student having the same first name was assigned against the Roll Number of Master Adrian Lara Nongbri, resultantly the total marks of the Petitioner's son had come down.*

*The Respondent School upon discovery of this fact issued a letter addressed to the Executive Chairman, MBOSE, clarifying therein the error in allotment of internal assessment marks. The said letter was received by the Ex-Executive Chairman, MBOSE, who made an internal note on the body of the letter stating that this appears to be a case of error committed by the concerned School and upon rectification of this error a corrigendum needs to be issued indicating the correct rank of Master Adrian Lara Nongbri which is joint Second Position holder.*

*The Respondent MBOSE, however has not made any rectification in the ranking of candidates by publication of corrigendum. On the contrary an impugned letter dated 28-07-2016 has been issued whereby the Respondent MBOSE has stated that no changes in the Ranking of Candidates will be made as it is contrary to the Regulation of the Board and further that correction in the internal marks cannot be made as the same is contrary to the Regulations of the Board.*

*The Petitioner's son Master Adrian Lara Nongbri has been a victim of omissions on the part of the Respondents which has cost him his legitimate standing in the List of Successful Candidates in SSLC 2016 and other academic losses in terms of opportunities and incentives provided to*

*students who top the list in SSLC Examinations conducted by Boards across the Country.*

*Being aggrieved the Petitioner is before Your Lordships seeking justice for her minor son.”*

3. Learned counsel for the respondents No. 2 & 3, Mr. L.Khyriem has filed an affidavit before this Court which is in record wherein it is stated that order dated 09-05-2017 has been complied by the respondents. If it is so, the grievances of the petitioner have already been addressed and learned counsel for the petitioner also agreed. Therefore, there survives nothing to proceed further.

4. Hence, the matter is dropped and stands disposed of.

**JUDGE**

S.Rynjah