
(2020) 12 SHI CK 0198
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 6324 Of 2020

Lakhveer Singh

APPELLANT

Vs

State Of H.P. & Others

RESPONDENT

Date of Decision : 29-12-2020

Acts Referred:

Citation : (2020) 12 SHI CK 0198

Hon'ble Judges : L. Narayana Swamy, CJ;Anoop Chitkara, J

Bench : Division Bench

Advocate : Pranay P. Chauhan, Ashok Sharma, Adarsh Sharma, Ritta Goswami, Anjali Verma

Final Decision : Allowed

Judgement

Anoop Chitkara, J

1. The petitioner aged 20 years and who appeared in +2 exam with the 2nd respondent, i.e., HPSEB, Dharamshala, has come up before this Court

seeking directions to the respondents to accept mark-sheet issued to him by Grameen Mukta Vidhyalaya Shiksha Sansthan as valid and to allow him to

seek admission to higher class on the strength of such mark-sheet.

2. The petitioner had passed his matriculation examination (secondary school) from Grameen Mukta Vidhyalaya Shiksha Sansthan vide annexure P/5.

The said Shiksha Sansthan issued him a certificate with Sr.No.35907 and declared him pass in 2nd Division. Based on the said certificate, the

petitioner appeared for +2 examination with Himachal Pradesh Board of School Education.

3. In CWP No.849 of 2019 titled Priyanka Devi Vs. State of H.P and others, a co-ordinate Bench of this Court had relied upon the instructions placed

on record by the learned counsel for the HPSEB, which revealed that Grameen Mukht Vidhyalayi Shiksha Sansthan was recognized during the period

from 1. 12.2017 to 5.2.2019. A perusal of the matriculation certificate, Annexure P/5 reveals that it was issued on 20.12.2018. Thus, even this

certificate was issued during the period when the said Grameen Mukht Vidhyalayi Shiksha Sansthan was a recognized institute.

4. Given above, for the purpose of attaining higher education, the said certificate was valid and thus, we direct respondent No.2-Board to declare the

result of the petitioner forthwith. We clarify that we have declared the matriculation certificate dated 24.8.2018 issued by Grameen Mukht Vidhyalayi

Shiksha Sansthan valid only for the purpose of acquiring education higher than the said certificate, which in this case was +2. We are not expressing

any opinion about the equivalence certificate for the reasons that once the petitioner acquires higher education, then there would be no need for him to

refer him to the lower examination.

5. With the aforesaid observation, this petition is allowed. Pending application(s), if any, shall also stand disposed of accordingly.

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