
(2021) 01 SHI CK 0052
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 65 Of 2021

Pushpa Devi

APPELLANT

Vs

State Of H.P And Others

RESPONDENT

Date of Decision : 04-01-2021

Acts Referred:

Citation : (2021) 01 SHI CK 0052

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

Bench : Division Bench

Advocate : Pranay P. Singh, Ashok Sharma, A. Ritta Goswami, Adarsh K Sharma, Vinod Chauhan

Final Decision : Allowed

Judgement

Anoop Chitkara, J

1. The petitioner aged 31 years and who appeared in +2 exam with the 2nd respondent, i.e., HPSEB, Dharamshala, has come up before this Court

seeking directions to declare her result of final examination.

2. The petitioner had passed his matriculation examination (secondary school) from Grameen Mukta Vidhyalayi Shiksha Sansthan vide annexure P/4.

The said Shiksha Sansthan issued him a certificate with Sr.No.27089 and declared her pass in 2nd Division. Based on the said certificate, the

petitioner appeared for +2 examination with Himachal Pradesh Board of School Education. The grievance of the petitioner is that now the respondent-

Board is not declaring her result due to the reasons that she had passed her matriculation from Grameen Mukta Vidhyalayi Shiksha Sansthan.

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 Mukta Vidhyalaya Shiksha Sansthan was recognized during the period

from 1. 12.2017 to 5.2.2019. A perusal of the matriculation certificate, Annexure P/4 reveals that it was issued on 11.3.2019. Thus, even this

certificate was issued during the period when the said Grameen Mukta Vidhyalaya 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 11.3.2019 issued by Grameen Mukta Vidhyalaya

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 her to

refer her to the lower examination.

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