

(2020) 12 SHI CK 0155
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 6194 Of 2020

Rachit Sharma

APPELLANT

Vs

Himachal Pradesh Board Of School Education

RESPONDENT

Date of Decision : 23-12-2020

Acts Referred:

Citation : (2020) 12 SHI CK 0155

Hon'ble Judges : Tarlok Singh Chauhan, J; Jyotsna Rewal Dua, J

Bench : Division Bench

Advocate : Dinesh K. Thakur, Vir Bahadur Verma

Final Decision : Disposed Of

Judgement

Tarlok Singh Chauhan, J

1. The instant writ petition has been filed by the petitioner for the grant of following substantive reliefs:

i) A writ in the nature of mandamus may be issued to the respondent regarding declaration of +2 examination result, in which petitioner appeared from

dated 4.03.2020 to 21.03.2020 against issued Roll No. 209042417.

ii) That the respondent may be directed in case of delayed declaring result of petitioner for March, 2020, the respondent may not take any extra late

fees for +2 exams in case of failure of result to apply further for March, 2021 examination.â??

2. Admittedly, the petitioner has passed his matriculation examination in September, 2018 (20.09.2018), as per Annexure P-1, from â??Grameen Muk

Vidhyalayi Shikshan Sansthanâ?. The only hurdle in not declaring the result of the petitioner is on account of non-recognition of Grameen Muk

Vidhyalayi Shikshan Sansthan with the Himachal Pradesh Board of School

Education, i.e. the respondent herein.

3. However, similar issue came up before this Court in CWP No.849 of 2019, titled Priyanka Devi vs. State of H.P. and others, decided on

10.09.2019, wherein learned standing counsel for respondent No.2-Board, had placed on record written instructions, which revealed that during the

period from 01.12.2017 to 05.02.2019, â??Grameen Mukht Vidhyalayi Shikshan Sansthanâ? i.e. respondent No.3, was duly recognized with the

Himachal Pradesh Board of School Education i.e. respondent No.2.

4. Therefore, once the petitioner has appeared for matriculation examination during the period when Grameen Mukht Vidhyalayi Shikshan Sansthan

was recognized by the respondent, the petitioner was rightly admitted in 10+2 examination by the respondent.

5. Therefore, in such circumstances, there is no impediment in not declaring the result of the petitioner.

6. Accordingly, the instant writ petition is allowed and the respondent is directed to declare the result of the petitioner for 10+2 examination, within a period of two weeks from today.

7. The instant writ petition stands disposed of in the aforesaid terms, so also the pending application(s), if any.

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