

(2021) 01 SHI CK 0220
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 249 Of 2021

Sanjay Kumar

APPELLANT

Vs

State Of Himachal Pradesh & Ors

RESPONDENT

Date of Decision : 07-01-2021

Acts Referred:

Citation : (2021) 01 SHI CK 0220

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

Bench : Division Bench

Advocate : Srishti Chauhan, Ashok Sharma, Vinod Thakur, Vikas Rathore, Shiv Pal Manhans, Bhupinder Thakur, Seema Sharma, Yudhvir Singh Thakur, Anjali Soni 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:-

â??i) Issue a writ of mandamus directing the respondents number 2 to declare the result of the petitioner i.e. Annexure P-6.

ii) Issue a writ of mandamus directing the respondents to implement the order passed in CWP No. 849 of 2019 i.e. Annexure P-7 qua the petitioner

thereby declaring the result of the petitioner.â??

2. Admittedly, the petitioner has passed his matriculation examination held in December, 2018 as per Annexure P-3 from respondent No. 3 i.e.

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

3rd respondent with the Himachal Pradesh Board of School Exudation, i.e. respondent No. 2.

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

10.09.2019 (Annexure P-7), 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 Mukh Vidhyalaya 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 respondent No. 3 was recognized by respondent

No.2, the petitioner was rightly admitted in 10+2 examination by respondent No. 2.

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 respondent No. 2 is directed to declare the result of the petitioner for 10+2 examination

(Annexure P-6) 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.