

(2021) 02 SHI CK 0273
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 1102 Of 2021

Savita Bhatia

APPELLANT

Vs

State Of H.P. & Ors

RESPONDENT

Date of Decision : 25-02-2021

Acts Referred:

Citation : (2021) 02 SHI CK 0273

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

Bench : Division Bench

Advocate : R. S. Gautam, Arun Rana, Ashok Sharma, Vinod Thakur, Vikas Rathore, Shiv Pal Manhans, Bhupinder Thakur, Yudhvir Thakur, Vir Bahadur Verma

Final Decision : Disposed Of

Judgement

Tarlok Singh Chauhan, J

1. By way of the present writ petition, the petitioner has mainly sought the following relief(s):-

a. That the impugned notification dated 11.02.2019 (Annexure A-5) may kindly be quashed and set aside in the interest of law and justice.

b. That the respondent No. 4 may kindly be directed to consider the 10th class certificate as valid for admission in the senior secondary course of

State Open School. Higher classes and further permit the petitioner to appear in the examination to be held in the month of March, 2021.

c. That respondents No. 2 & 4 may kindly be directed to consider the 10th examination (Annexure P-3) passed from respondent No. 3 as equivalent

and valid for admission to higher classes/courses.

2. The grievance of the petitioner is that his 10th Class certificate issued by respondent No.3, Grameen Mukh Vidhyalayi Shiksha Sansthan, is not

being treated as valid certificate either for the purposes of admission in the educational institutions for higher studies or for the purpose of applying for employment against various posts in the Government of Himachal Pradesh.

3. The similar issue in respect of validity of the certificate(s) issued by respondent No.3, Grameen Mukta Vidhyalaya Shiksha Sansthan, has been

adjudicated by this Court in CWP No.849 of 2019, titled Priyanka Devi versus State of Himachal Pradesh & others, decided on 10.09.2019, wherein, it

has been held that the said institute was duly recognized with Himachal Pradesh Board of School Education during the period 01.12.2017 to

05.02.2019.

4. It is not in dispute that 10th Class certificate of the petitioner (Annexure P-2), was issued by the Grameen Mukta Vidhyalaya Shiksha Sansthan,

during the aforesaid period 01.12.2017 to 05.02.2019. Therefore, the same is valid and effective for all intents and purposes, i.e. applying for

government jobs or getting admission for higher education in the State of Himachal Pradesh.

5. In view of the above, there shall be a direction to the respondent-State to consider the 10th Class certificate of the petitioner issued by Grameen

Mukta Vidhyalaya Shiksha Sansthan, as a valid certificate for applying to government jobs or getting admission for higher education.

With the aforesaid observations/directions, the instant writ petition stands disposed of, so also pending miscellaneous application(s), if any.

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