

(2020) 12 SHI CK 0207
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No.6378 Of 2020

Vivek Kumar

APPELLANT

Vs

H.P Board Of School Education

RESPONDENT

Date of Decision : 30-12-2020

Acts Referred:

Citation : (2020) 12 SHI CK 0207

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

Bench : Division Bench

Advocate : Dinesh K Thakur, Vir Bahadur Verma

Final Decision : Allowed

Judgement

Anoop Chitkara, J

1. The petitioner aged 18 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 his result of final examination.

2. The petitioner had passed his matriculation examination (secondary school) from Grameen Mukta Vidhyalaya Shiksha Sansthan vide annexure P/1.

The said Shiksha Sansthan issued him a certificate with Sr.No.37912 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. The grievance of the petitioner is that now the respondent-

Board is not declaring his result due to the reasons that he had passed his matriculation from Grameen Mukta Vidhyalaya 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

Mukt Vidhyalayi Shiksha Sansthan was recognized during the period from 1.12.2017 to 5.2.2019. A perusal of the matriculation certificate, Annexure P/1 reveals that it was issued on 24.8.2018. Thus, even this certificate was issued during the period when the said Grameen Mukt 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 Mukt 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.