

(2021) 02 SHI CK 0155
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 752 Of 2021

Yashoda

APPELLANT

Vs

State Of Himachal Pradesh & Ors

RESPONDENT

Date of Decision : 12-02-2021

Acts Referred:

Citation : (2021) 02 SHI CK 0155

Hon'ble Judges : Jyotsna Rewal Dua, J

Bench : Single Bench

Advocate : Pranay Pratap Singh, Hemant Vaid, R.R. Rahi, Vinod Chauhan

Final Decision : Disposed Of

Judgement

Jyotsna Rewal Dua, J

1. Notice. Mr. Hemant Vaid, learned Additional Advocate General and Mr. Vinod Chauhan, Advocate appear and accept service of notice on behalf

of respondent No. 1 and respondent No. 2, respectively. No notice need be issued to respondent No. 3 at this stage.

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

â??i) Issue a writ of mandamus directing the respondents to implement the order passed in CWP No. 4279 of 2019 i.e. Annexure P- 6 qua the

petitioner thereby allowing the petitioner to continue with the studies and appearing in the examination being conducted by the respondent Number 2

under the open schooling i.e. â??SOSâ??.

ii) Issue a writ of mandamus directing the respondents to allow the petitioner to appear in the examination being conducted for class 12th by the SOS

Branch of the respondent number 2 on the basis of the certificate cum mark-

sheet issued by the respondent number 3.â??

3. The grievance of the petitioner is that her 10th Class certificate issued by respondent No. 3, Grameen Mukta Vidhyalaya Shiksha Sansthan, is not

being treated as valid certificate either to continue with the higher studies or for the purpose of appearing in the examination being conducted by the

respondent No. 2 under the open School. f

4. Learned Counsel for the parties jointly submit that 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 vs. State of H.P. and 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.

5. It is not in dispute that 10th Class certificate of the petitioner (Annexure P-4) 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.

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 the pending application(s), if any.