

Court No. - 10

Case :- WRIT - C No. - 24203 of 2023

Petitioner :- Ashuman Mohan

Respondent :- Central Board Of Secondary Education And 4 Others

Counsel for Petitioner :- Syed Fahim Ahmed, Pawan Kumar Yadav

Counsel for Respondent :- Hridai Narain Pandey, Pranab Kumar Ganguli

Hon'ble Kshitij Shailendra, J.

1. Heard Shri Syed Fahim Ahmed, learned counsel for the petitioner, Shri H.N. Pandey, learned counsel for the respondent Nos. 1 and 2 and Shri P.K. Ganguli, learned counsel for respondent No. 6 and perused the record.

2. This writ petition has been filed claiming the following reliefs:

"(i) Issue a writ, order or direction in the nature of Mandamus directing the respondent No. 3 to declare the result of the petitioner having Admission No. 11623 for Class 9-C final term examination.

(ii) Issue a writ, order or direction in the nature of Mandamus directing the respondent No. 3 to issue the Mark sheet of Class 9-C for final term examination of petitioner having Admission No. 11623.

(iii) Issue a writ, order or direction in the nature of Mandamus directing the respondent No. 3 to permit the petitioner to attend the classes of Class 10 regularly and further not to stop the petitioner from attending the regular classes of Class 10."

3. Though certain observations were made by this Court with regard to maintainability of the writ petition against the Institution, Shri P.K. Ganguli, learned counsel for the Institution submits that the concerned result has been declared, but the petitioner is neither turning up in the Institution nor is depositing the requisite fees.

4. Shri P.K. Ganguli, learned counsel for the Institution further submits that the maternal uncle of the petitioner is causing nuisance in the Institution.

5. Considering the reliefs claimed in the present writ petition and the stand taken by Shri P.K. Ganguli, learned counsel for the Institution, the writ petition is **disposed of** permitting the petitioner to approach the Institution.

6. As soon as the petitioner approaches the Institution, the Institution shall apprise him about the requirements to be satisfied at his level and in case the said requirements are satisfied by the petitioner, the Institution shall proceed further.

7. The petitioner's mother shall ensure that no unwarranted situation is created in the Institution in the further proceedings.

Order Date :- 18.10.2023

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