

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**1. Civil Writ Petition No.3927 of 2015
Date of decision: 9.9.2015**

Gramin Uthan Shiksha Samiti

...Petitioner

Versus

State of Haryana and others

...Respondents

2. Civil Writ Petition No.3928 of 2015

R.P.S. Senior Secondary School

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Vivek Khatri, Advocate for the petitioner.

Mr. Saurabh Girdhar, Assistant Advocate General,
Haryana for respondents No.1 and 2.

Mr. D.K.Khanna, Advocate for respondent no.3.

G.S.SANDHAWALIA, J. (Oral)

This order shall dispose of Civil Writ Petitions No.3927 and 3928 of 2015 as common question of facts and law are involved in both these petitions.

Counsel for the parties are agreed that controversy in the present case is covered by the decision in **Civil Writ Petition No.3727 of 2015-B.L.Shiksha Niketan Sr. Secondary School Vs. State of Haryana and others** dated 20.8.2015 wherein in similar circumstances on account of the fault of the school in submitting the enrollment numbers, roll numbers could not be issued to the students.

In the present case the dispute pertains to the +2 examination and it is a common factor that the students sat in the 1st semester examination in September, 2014 against registration numbers and roll numbers issued by the respondent-Board and the result was declared by the Board. However, as per Regulations, the request for formal enrollment number was to be submitted 15 days prior to the commencement of the final examination which was to be conducted in March, 2015. Accordingly, the names of the students were not forwarded within prescribed period

In Civil Writ Petition No.3927 of 2015, vide interim order dated 3.3.2015, a direction was issued to the respondent-Board to provisionally issue roll number to Mr. Anil Kumar and in Civil Writ Petition No.3928 of 2015, to provisionally issue roll number to Mr. Sumit.

Counsel for the respondent-Board submits that the time was not given to the Board to verify whether the students were eligible and the petitioner-schools may be directed to give details of the students.

This Court in similar circumstances in **B.L.Shiksha Niketan's case** (Supra) has held that for the mistake of the school, the students cannot be put to harassment on account of the strict view taken by the Board and the academic future of the students has to be taken into consideration.

Accordingly, both the writ petitions are allowed and interim orders are modified to the extent that the petitioner schools shall furnish the details of the students as demanded by the Board within a period of two weeks from today along with deposit of ₹ 10,000/- for each student. The Board shall taken into consideration whether the students were eligible for admission in 10+2. In case they are found eligible, the Board shall declare their result and in case any adverse order is to be passed against the interest of the students, then the respondent-Board shall pass a speaking order and decline to declare the result. The needful be done within four weeks from the receipt of the documents from the schools.

A photo copy of this order be placed on the record of connected case file.

September 09, 2015
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(G.S.SANDHAWALIA)
Judge