

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Civil Writ Petition No.393 of 2015

Date of decision: 21.01.2015

Deepak Aggarwal son of Shri Rajiv Aggarwal, petitioner being minor through his father Rajiv Aggarwal, resident of Telian Street, Ekta Chowk, Sirsa.

... Petitioner

versus

State of Haryana, Department of Education, through its Secretary, Haryana Civil Secretariat, Chandigarh, and another.

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Lalit Rishi, Advocate,
for the petitioner.

Mr. Keshav Gupta, Assistant Advocate General,
Haryana.

Mr. Rajesh Sheoran, Advocate,
for respondent No.2.

K.Kannan, J. (Oral)

1. I had at the previous hearing ordered notice to the State counsel and asked him to take instructions on why the petitioner cannot be permitted to pay the late fee and take the examinations. Today, Mr. Rajesh Sheoran, Advocate, has appeared for the Board and seeks for time. The petitioner explains the difficulty that the Contact classes are going on and the attendance and performance therein are also taken into reckoning for appraisal in the final examination. I do not think that it will be fair to allow for the Board

to seek for time unmindful of the serious prejudice that it is causing to the petitioner in not filing the written statement. I have gone through the relevant rules and I find that for the Haryana Open School, the submission and attestation of admission form and fee could be done on payment of fee of ₹400/- and late fee of ₹300/- before a particular stipulated date, namely, 09.10.2014 and ₹1,000/- till 15 days before the examination. The examination is due for commencement only in March and no prejudice could be caused. The respondent is directed to receive the application with a late fee of ₹1,000/- and if such a tender is made to the respondent, it shall be accepted and the petitioner shall be admitted as eligible for Haryana Open School and shall therefore consequently be permitted to take the personal contact programmes as well.

2. The writ petition is disposed of.

(K.KANNAN)
JUDGE

21.01.2015
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