

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

**CWP No.12850 of 2016
Decided on : 14.12.2016**

Tanveesh Dewan

... Petitioner

Versus

Central Board of Secondary Education and others

... Respondents

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

Present: Mr. Satinder Khanna, Advocate
for the petitioner.

Mr. Nitin Kant Setia, Advocate
for the respondents No.1 and 2-CBSE.

None for respondent No.3.

G.S. Sandhawalia, J. (Oral)

The petitioner seeks the quashing of Annexures P-2 and P-4, whereby the request of the petitioner for re-verification/re-evaluation was ordered to be rejected in a routine manner and it was communicated to the petitioner that no mistake has been found.

The grouse of the petitioner was only that he had secured 72 marks in the English Core Subject in the 10+2 examination and had been a brilliant student and had got marks in the 90s in other subjects. Resultantly, he applied for his re-evaluation of English Core answer-sheet. The same had been disposed of as noticed above on the ground that there is no error. The petitioner had also applied for the photocopy of the English Core answer-sheet to know what went wrong. The answer-sheet is appended as Annexure P-3. He, thereafter, applied for re-evaluation which was also

rejected, vide communication (Annexure P-4). Reference is made to the application (Annexure P-5) pointing out the question wise discrepancies to submit that the request was made for the re-evaluation on the ground that marks had to be awarded as per the Clause-10 of the Marking Scheme, whereby the major mistakes had to be identified and the shortcomings before awarding of marks. Since, there was no single mistake, but no marks had been given.

Counsel for the petitioner has vehemently argued that no action has been taken and admittedly there was a mistake as such in the computation of marks. As much as against Question No.2, the petitioner had an issue that 8 marks had been given and on counting they were coming to 10 marks.

It is not disputed that vide communication dated 28.06.2016 before notice of motion was issued, the respondent-Board noted out that there were discrepancies in the answer-sheet of English Core subject. Accordingly, the result of petitioner had been revised from 72 marks to 74 marks and two marks have been granted to him for Question No.2. Thus, the benefit has been granted to the petitioner before the date he approached this Court on 29.06.2016.

Counsel for the respondent-CBSE is well justified in saying that even as per Annexure P-5, no specific objection has been raised that the marks awarded by the examiner were wrong.

A perusal of the answer-book would also go on to show that examiner has awarded the marks against the answers as such and in the

absence of the any specific objection having been raised as to what was the mistake, there is no scope of interference with the rejection of the re-evaluation claim. Resultantly, no benefit can be granted to the petitioner and the present writ petition is, accordingly, dismissed.

DECEMBER 14, 2016
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No