

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

**CWP No.13554 of 2016  
Decided on :15.07.2016**

Vikas Sihag

... Petitioner

Versus

Central Board of School Education and another

... Respondents

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

Present : Mr. Vikas Thakur, Advocate  
for the petitioner.

Mr. Nitin Kant Setia, Advocate  
for the respondents.

**G.S. Sandhawalia, J. (Oral)**

The petitioner seeks the direction for counting the two marks in the subject of English Core of the Senior School Examination, the result of which was declared on 21.05.2016 (Annexure P-1), in which he has scored 73 marks.

On 12.07.2016, keeping in view the contention raised the counsel for the respondent-Board was directed to produce the original answer sheet. The contention noted was as under:-

*"Inter alia submits that the petitioner has been awarded 73 marks in the Senior School Certificate Examination, held in March, 2016. It is the case of the petitioner that he applied for re-evaluation of marks and the Board has come to the conclusion that no mistake has been found, vide Annexure P2. It is submitted that photocopies of the answer-sheets were supplied to the petitioner. While making reference to the said answer-sheets, it is submitted that regarding question No.1, only 10 marks have been awarded whereas a close perusal would go on to show that the examiner had awarded 11 marks.*

*Similarly, for question No.2, it is submitted that 8 marks have been awarded whereas the examiner has awarded 9 marks. It is, accordingly, submitted that there is an error in counting and the petitioner would get benefit of 2 marks, which would increase his percentile and push up the merit in the Joint Entrance Examination, which has also been conducted by the respondent-Board.”*

The original answer sheet produced also reveals that the petitioner is right that in spite of revaluation, the Board has not granted the necessary benefit, though the petitioner is entitled for two marks more as noticed above.

Resultantly, it is apparent that revaluation has been done without any application of mind. Resultantly, the present writ petition has to be allowed. Accordingly, a direction is issued to the respondent-Board to give benefit of two marks to the petitioner in the subject of English Core and declare the result by 18.07.2016, since the petitioner is applying for JEE entrance and the merit would go up, accordingly.

Accordingly, the present writ petition is allowed, with costs of Rs.10,000/- to be paid to the petitioner.

It will be open to the respondent-Board to recover the amount from the official, who revaluated the answer sheet.

Copy of this order be given *dasti* to the counsel for the parties under the signatures of the Special Secretary of this Court.

**JULY 15, 2016**  
*Naveen*

**(G.S. SANDHAWALIA)**  
**JUDGE**

