

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

C.M. No. 11401-CWP of 2016 in/and
CWP No. 6232 of 2016
Date of decision: 06.10.2016

Narottam

....Petitioner(s)

Versus

Board of School Education, Haryana and others

...Respondent(s)

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

Present: Mr. Rajesh Arora, Advocate,
for the applicant-petitioner.

Mr. D.K. Khanna, Advocate,
for the respondents.

G.S.SANDHAWALIA, J. (Oral)

C.M. No. 11401-CWP of 2016

The present application has been filed for withdrawal of the main writ petition. Petitioner further prays that he may be allowed to appear as a fresh candidate in the Haryana Open School Senior Secondary Examination, April-2017.

Notice in the application.

Mr. D.K. Khanna, Advocate for the respondents accepts notice.

The main case was admitted on 08.08.2016. However, it was directed that the Board was to provisionally declare the result of the petitioner. It is the case of the petitioner in the present application that the result has been declared provisionally and he has failed in 4 subjects. He accordingly wants to appear in the senior secondary examination to be held in April-2017.

A perusal of the written statement would go on to show that the defence of the Board was that the petitioner had reappeared in October,

2014 in the Science subject and had cleared the papers in October, 2014 in the secondary examination. The gap of two years was required which would only be there in October, 2016 and, therefore, the Board was not declaring the result. The Board had cancelled the admit card of March, 2016, which was subject matter of challenge.

In view of the subsequent developments, it is apparent that the petitioner is, thus, entitled to appear as a fresh candidate in the Haryana Open School Senior Secondary Examination, April 2017.

Resultantly, the application is allowed.

CWP No. 6232 of 2016

Dismissed as withdrawn with the aforesaid liberty.

06.10.2016
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No