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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 256/2016

MANISH KR. (MINOR)

Through

..... Petitioner

Mr. Alok Shankar, Advocate

versus

CBSE BOARD & ORS

Through

..... Respondents

Mr. Atul Kumar, Advocate for R-1.

Mr. Devender Dedha, Advocate for
R-2**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER****12.01.2016**

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Present writ petition has been filed seeking a direction to the respondents to correct his class 10 examination result, 2015 by removing a clerical error.

Learned counsel for the petitioner states that even though the petitioner scored 74% marks in Class 10 examination, yet in the result announced his marks have been shown as 47%. He states that petitioner's results bearing Roll No. 8735153 have been swapped with the result of another candidate having the same name Manish Kumar whose Roll No. was 8735141.

Learned counsel for the petitioner further states that though the respondent-School has admitted its mistake, yet it has informed the petitioner that C.B.S.E. has rejected its request for correction on the ground that it is a time bound matter. In support of his contention, he has handed over today in Court a letter dated 5th January, 2016 written to the petitioner's father by the respondent-School, which is taken on record. The said letter is reproduced hereinbelow:-

“With reference to your RTI application No. 506 dated 28/11/15 received in this office on 05/12/15 I am hereby submitting the information desired by you as under:

Grades of Manish Kumar Roll No. 8735153 Class X 2014-15

<i>Subject</i>	<i>FAs Grade</i>	<i>SAs Grade</i>	<i>Total Grades</i>
<i>English</i>	<i>A2</i>	<i>C1</i>	<i>B2</i>
<i>Hindi</i>	<i>B2</i>	<i>C1</i>	<i>B2</i>
<i>Maths</i>	<i>B2</i>	<i>B2</i>	<i>B2</i>
<i>Science</i>	<i>A2</i>	<i>C1</i>	<i>B2</i>
<i>S.St.</i>	<i>A2</i>	<i>C1</i>	<i>B2</i>
<i>Sanskrit</i>	<i>A2</i>	<i>C2</i>	<i>B2</i>

This is also to state here that due to clerical mistake Grades of Roll No. 8735153 interchange with the Roll No. 8735141 who's Grades are also mentioned below:

Grades of Manish Kumar Roll No. 8735141

<i>Subject</i>	<i>FAs Grade</i>	<i>SAs Grade</i>	<i>Total Grades</i>
<i>English</i>	<i>B1</i>	<i>C2</i>	<i>C1</i>
<i>Hindi</i>	<i>B2</i>	<i>D</i>	<i>C2</i>
<i>Maths</i>	<i>B2</i>	<i>E2</i>	<i>D</i>
<i>Science</i>	<i>B1</i>	<i>E1</i>	<i>C2</i>
<i>S.St.</i>	<i>B1</i>	<i>E1</i>	<i>C2</i>
<i>Sanskrit</i>	<i>A2</i>	<i>D</i>	<i>C1</i>

This mistake came into notice after announcement of results by C.B.S.E. We immediately approached to C.B.S.E. for correction in the result. Both candidates' parents gave us No Objection affidavit for

correction in marks but C.B.S.E. rejected our request by explaining that it is a time bound matter. Still we are trying our best to solve the issue as future of the candidates is on stake."

Learned counsel for C.B.S.E., who appears on advance notice, states that the C.B.S.E. has not received any representation either from the petitioner or the respondent-School.

Keeping in view the aforesaid letter dated 5th January, 2016 issued by respondent-School, this Court disposes of the present writ petition by directing the petitioner to make a fresh representation to the C.B.S.E. and to enclose with the said representation, the letter dated 5th January, 2016 received from the respondent-School. This Court is confident that C.B.S.E. will examine the petitioner's representation dispassionately and ensure that no injustice is caused to a student because of an alleged clerical mistake.

Order dasti.

MANMOHAN, J

JANUARY 12, 2016

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