

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

CWP No. 14630 of 2015 (O&M)
Date of decision : October 30, 2017

Prince Kumar Nanda

..... Petitioner

v.

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. RS Sidhu, Advocate
for the petitioner.

Mr. HS Sitta, AAG Punjab

Mr. Puneet Sharma, Advocate
for respondents No.3 to 5.

Ajay Tewari, J (Oral)

By this writ petition, the petitioner has prayed that Continuous and Comprehensive Evaluation (CCE) of the petitioner in marks of 10+2 examination held in 2015 be corrected as per the school record.

Allegations are that when the original assessment was forwarded by the school to the Punjab School Education Board, inadvertently wrong marks were mentioned. Within three days of declaration of the result, the petitioner moved a representation praying that his result be rectified.

In the written statements filed, the respondents have accepted that in fact wrong marks had been sent. The State has also taken the stand that responsibility is being fixed for correcting the mistake. The Board also

accepts that a mistake occurred at the level of the school but it does not have the jurisdiction to correct the result and has placed on a circular (Annexure R-1) as per which the result once declared cannot be corrected.

Counsel for the petitioner has, however, argued that this cannot extend to a mistake of the present kind by which the student has been prejudiced. He has pointed out that once it has been accepted by the Board as well as the State that a mistake had occurred and rather the government has stated that they are fixing the responsibility for the same, circular (Annexure R-1) cannot be allowed to stand in the way of the petitioner to get the correct result declared.

This Court in Ramandeep Kaur vs Council of Scientific And Industrial Research (CSIR), CWP No. 8015 of 2017 decided on 28.09.2017, has held that students cannot be made to suffer for the mistake of the examination body. In this view of the matter, the circular, Annexure R-1, cannot be allowed to stand in the way of the petitioner getting his result corrected. In the circumstances, this writ petition is allowed and respondent No.4 is directed to correct the Continuous and Comprehensive Evaluation (CCE) of the petitioner in marks of 10+2 examination held in 2015, as per the school record. Let necessary exercise be carried out within two months from the receipt of a certified copy of this order.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

(AJAY TEWARI)
JUDGE

October 30, 2017
'kk'

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No