

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-27506-2017

Date of Decision: 4.12.2017

Dr. Arvind Goyal

....Petitioner.

Versus

Union of India and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MR. JUSTICE AMIT RAWAL.**

PRESENT: Mr. R.K. Girdhar, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of mandamus directing the respondents to rectify the remaining 17 errors in NCERT Text Books of Biology of Class 11th and 12th.

2. The petitioner is MBBS, MD and is providing coaching to Class 11th and 12th students. He noticed a number of errors in the NCERT Text Books of Biology and NCERT Exemplar Books of Biology for Class 11th and 12th. The petitioner made a number of representations and also sent a detailed list of errors therein, but to no effect. Thereafter, the petitioner filed CWP-4748-2014 for rectification of the mistakes and this Court vide order dated 13.3.2014 (Annexure P-1) disposed of the said writ petition with a direction to the NCERT to carry out the exercise in pursuance to the

rectified some of the mistakes in the NCERT Text Books and Exemplars. The petitioner again made a representation to the respondents for rectification of the pending mistakes/errors, but in vain. The petitioner filed another CWP-11200-2014 for rectification of remaining about 25 errors. This Court vide order dated 29.5.2014 (Annexure P-2) disposed of the said writ petition with a direction to the respondents to rectify the existing and new errors. Although, the NCERT had rectified many errors in the Biology Text Books and in the Exemplars but still there were some errors which were not rectified. Accordingly, the petitioner sent a representation dated 12.3.2017 (Annexure P-3) to the Prime Minister for instructing the NCERT to rectify the errors which was forwarded to respondent No.3. The petitioner received a reply dated 28.4.2017 (Annexure P-4) from respondent No.3 that they have already rectified many mistakes. In view of the reply, the petitioner made a representation dated 11.5.2017 (Annexure P-5) along with a list of errors to the Professor and Head, DESM, NCERT, Sri Aurobindo Marg, New Delhi for rectification of the pending 11 errors in Biology Text Books of Class XI and XII, but to no effect. Thereafter, the petitioner made another representation dated 4.11.2017 (Annexure P-6) to the Professor and Head, DESM, NCERT, Sri Aurobindo Marg, New Delhi for rectification of the errors, but no response has been received till date. Hence, the present writ petition.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner sent representations dated 11.5.2017 and 4.11.2017 (Annexures P-5 and P-6, respectively) to the Professor and Head, DESM, NCERT, Sri Aurobindo Marg, New Delhi for rectification of the errors, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.2 to take a decision on the representations dated 11.5.2017 and 4.11.2017 (Annexures P-5 and P-6, respectively), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of six weeks from the date of receipt of the certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

December 4, 2017
gbs

(AMIT RAWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No