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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5355/2017 & C.M.Nos. 22651/2017, 22652/2017**

GAURAV KATHURIA Petitioner

Through Mr.Khagesh B.Jha, Advocate.

versus

CENTRAL BOARD OF SECONDARY EDUCATION AND ANR

..... Respondents

Through Mr.Atul Kumar, Advocate for R-1.

+ **W.P.(C) 5247/2017 & C.M.Nos.22282/2017, 22561- 22562/2017 & 22695-22697/2017**

KASHISH MITTAL Petitioner

Through Ms.Aakansha Nehra, Advocate.

versus

CENTRAL BOARD OF SECONDARY EDUCATION & ANR.

..... Respondents

Through Mr.Sanjay Jain, ASG with
Ms.Manisha, Mr.Kartik Rai and
Ms.Rajul Jain, Advocates for CBSE.
Mr.Nirvikar Verma, Advocate for
UOI.
Ms.Jaswinder Kaur, Advocate for
impleader.
Areeb Hasan, Advocate for
impleader.

+ **W.P.(C) 5275/2017**

SATVIKA JAIN Petitioner

Through Ms.Arunima Dwivedi, Advocate.

versus

	UNION OF INDIA & ORS.	 Respondents
	Through	Mr.Anil Dabas, Advocate for R-1/UOI.
		Mr.Sanjay Jain, ASG with
		Ms.Manisha, Mr.Kartik Rai and
		Ms.Rajul Jain, Advocates for CBSE.
+	W.P.(C) 5297/2017	
	GOLIGHAR MOHAMMED UBAID	 Petitioner
	Through	Mr.Ashish Verma, Advocate.
	versus	
	C B S E & ANR	 Respondents
	Through	Mr.Sanjay Jain, ASG with
		Ms.Manisha, Mr.Kartik Rai and
		Ms.Rajul Jain, Advocates for CBSE.
+	W.P.(C) 5322/2017	
	RANJINI BHATTACHARYA	 Petitioner
	Through	Mr.Rabin Majumdar, Advocate.
	versus	
	CONTROLLER OF EXAMINATIONS	 Respondent
	Through	Mr.Atul Kumar, Advocate for R-1.
+	W.P.(C) 5361/2017 & C.M.Nos.22663/2017, 22664/2017	
	SHRUTI GUPTA	 Petitioner
	Through	Mr.Kirti Uppal, Sr.Advocate with
		Mr.Gaurav Pathak, Ms.Aastha
		Dhawan and Ms.Gauri P.Desai,
		Advocates.
	versus	
	CENTRAL BOARD OF SECONDARY EDUCATION & ANR.	

..... Respondents

Through Mr.Atul Kumar, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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23.06.2017

Mr.Sanjay Jain, learned ASG today makes a statement that notwithstanding the fact that the policy for re-valuation of the answer-sheet stands withdrawn with effect from 2017 examinations, in the peculiar facts and circumstances pointed out by the petitioners, if any of the petitioners were to apply to CBSE with a grievance that a particular answer-sheet has not been evaluated as per the concerned marking scheme circulated to the Head Examiner in respect of major subjects, whereupon CBSE will scrutinise such answer-sheets and take appropriate remedial action, if required. He states that the concerned marking scheme shall be uploaded on the website of CBSE within a period of two working days.

Learned ASG further states that all such requests shall be considered by CBSE on 'first come first serve basis' i.e. those persons who have already applied for re-verification, their papers will be scrutinised on priority basis as per the marking scheme.

Mr. Sanjay Jain also states that CBSE will not act upon the undertakings given by the students to the effect that they cannot approach the Court on account of their having obtained photocopies of the answer-sheets.

The statement made by learned ASG is accepted by this Court and CBSE is held bound by the same.

However, this Court is of the view that the statement made by the learned ASG cannot be confined to the petitioners only or to those who have approached this Court. Consequently, the statement of learned ASG shall bind the CBSE with regard to those students as well, who have already applied with the similar grievance.

With the aforesaid observations, present writ petitions and applications stand disposed of.

Order *dasti* under the signatures of Court Master.

MANMOHAN, J
(Vacation Judge)

YOGESH KHANNA, J
(Vacation Judge)

JUNE 23, 2017
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