

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

CWP-24033-2018 (O&M)
Date of decision:- 20.09.2018

Vipin Kumar Tiwari

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present:- Mr. Ankur Lal, Advocate,
for the petitioner.

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KRISHNA MURARI, C.J. (ORAL)

A writ in the nature of certiorari is prayed for to quash the circular/notice dated 13.07.2018 passed by respondent No. 3 being contrary to the provisions of Section 30 of the Right of Children to Free and Compulsory Education Act, 2009 (in short the Act), as pursuant thereto, respondent No. 3 is issuing enrollment numbers to the students for appearing in the 8th class board examinations.

2. It is urged that such a course is wholly impermissible as Section 30 of the Act postulates an express bar for conducting any board examinations upto the elementary class. It is submitted that even prior to the institution of this petition, the petitioner had served respondent No. 3 with a representation dated 18.07.2018 (Annexure P-3) as regards his grievances. But to no avail.

3. Learned counsel for the petitioner submits that let this petition be disposed of, at this stage, only with a

direction to respondent No. 3 to consider and decide his representation within a specified time.

4. In conspectus of the above, the petition is disposed of with a direction to respondent No. 3 to consider and deal with the representation, referred to above, if indeed the same is pending consideration of the respondent-authorities. And appropriate orders in accordance with law be passed within a period of three weeks from the receipt of certified copy of this order.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

20.09.2018
Amodh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No