

CWP No.5409 of 2018 -1-

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

**CWP No.5409 of 2018
Date of decision: 6.7.2018**

Angadpreet Singh

...Petitioner

Versus

CBSE and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr.Anirudh Gupta, Advocate for the petitioner.

Mr.N.K.Setia, Advocate for the respondents.

Rakesh Kumar Jain, J. (Oral)

The petitioner has challenged the validity of the order dated 25.10.2017 passed by respondent No.1 (CBSE) by which he has been denied roll number, purportedly on the ground that he has violated Rule 7.3 of Examination Bye-Law which prohibits the transfer of a student within the vicinity.

Counsel for the petitioner has submitted that the petitioner was studying in Gurukul School Zirakpur which is affiliated to CBSE and had passed his 9th class successfully. The petitioner had to shift to Jalandhar and took admission in 10th Class in Saint Soldier Divine Public School, Jalandhar City because his grand-father was unwell who was to be looked after. The petitioner had already been issued roll number vide order dated

8.3.2018 and has taken the examination of 10th Class. It is submitted by

counsel for the petitioner that because of the pendency of the writ petition the result has been withheld by respondent No.1. It is submitted that the petitioner is sanguine of his success in 10th class and is aspiring to take admission in 11th class but without the result, having been declared by CBSE, the same is not possible.

Sh.Setia appearing on behalf of CBSE has submitted that direct admission in 11th class is not allowed within the vicinity but he could not deny the fact that the petitioner has taken admission in 10th class in Jalandhar which is not in the vicinity of Zirakpur.

In my considered opinion, Rule 7.3 of the Examination of Bye-law would not apply to the case of the petitioner who did not shift from Zirakpur to Jalandhar for any other reason but for the hardship in the family and the School in Jalandhar is not in the vicinity of Zirakpur.

In view of the above, the present petition is allowed. The impugned order is set aside and respondent-CBSE is directed to declare the result of the petitioner and communicate the same to him within a period of two days.

July 6, 2018
Meenu

(Rakesh Kumar Jain)
Judge

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