

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24244 of 2018

Shivnandan Yadav Son of Late Prem Lal Yadav Resident of Mohalla Jaipalpatti, By Pass Road, Ward No.15, Police Station- Madhepura, District- Madhepura. Petitioner/s

Versus

1. The Union Of India through the Secretary, Ministry of Human Resources Development, New Delhi
2. The Chairman, Navodaya Vidyalaya Samiti, Ministry of Human Resources Development Department of Scho Ministry of Human Resources Development Department of School, Education and Literacy, Government of India, B-15, Sector 62, Noida, Gautambudh Nagar, 201307 (U.P.)
3. The Principal, Jawahar Navodaya Vidyalaya, District- Madhepura (Bihar) Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Sinha, Adv. Mr. Ashok Kumar, Adv.
For the Respondent/s	:	Mr. S.D Sanjay Addl. Soc. Gen.
For the NVS	:	Mr. Siddhartha Prasad, Adv. Ms. Chachika Jamuar, Adv.
For the C.B.S.E.	:	Mr. Vinay Krishna Tripathy, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 05-07-2019 The Interlocutory Application No. 01 of 2019 filed by the petitioner for addition of C.B.S.E. as party is allowed. The C.B.S.E. is made party as respondent nos. 4 and 5.

Heard learned counsel for the petitioner and the counsel appearing on behalf of the State, CBSE as well as Jawahar Navodaya Vidyalaya.

The claim of the petitioner is that son of the petitioner appeared at the Jawah Navodaya Vidyalaya Selection Test 2018. He secured 100 marks out of 100, yet he has not been admitted.

Learned counsel appearing on behalf of Jawahar Navodaya Vidyalaya submits that the Jawahar Navodaya Vidyalaya is prepared to admit the son of the petitioner provided



the position of the petitioner's son is authenticated by C.B.S.E.

Considering the aforesaid, the writ petition is disposed of with a direction to the C.B.S.E. to verify the fact whether the petitioner's son appeared at the Jawahar Navodaya Vidyalaya Selection Test 2018 or not and whether he secured 100 marks in the selection test out of 100. In the event, it is found that petitioner's son has secured 100 marks out of 100 in the Selection Test 2018 the C.B.S.E. has to recommend the case for admission and the Jawahar Navodaya Vidyalaya has to admit the son of the petitioner as special case even if the admission is beyond the sanction strength. The C.B.S.E. is required to recommend the case of the son of the petitioner and the Jawahar Navodaya Vidyalaya is under obligation to admit son of the petitioner in class-VI.

Necessary decision on the claim of the petitioner son by C.B.S.E. after verification is to be taken within a fortnight from today and thereafter, the Jawahar Navodaya Vidyalaya is required to admit the students only, if the C.B.S.E. finds the assertion of the petitioner correct i.e. securing 100 marks out of 100 in the selection test by the son of the petitioner.

With the aforesaid, the present writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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