

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

**CWP-6189-2019 (O&M)
Date of Decision: 11.03.2019**

Vishva Bharti Public School

... Petitioner

Versus

Central Board of Secondary Education & another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. D.S. Patwalia, Senior Advocate with
Mr. Sardavinder Goyal, Advocate for the petitioner.

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

...

TEJINDER SINGH DHINDSA, J. (ORAL)

The Vishva Bharti Public School, Jagadhri filed the instant writ petition assailing the order dated 21.02.2019 (Annexure P-3) passed by the Central Board of Secondary Education and in terms of which request of the School for including names of 35 students in Class 10 and for issuing of roll numbers to such students so as to appear in the final examination was declined.

On the previous date of hearing i.e. on 08.03.2019, the following order was passed by this Court:

“The Vishva Bharti Public School, Jagadhri has filed the instant petition assailing a communication dated 21.02.2019 (Annexure P-3) and in terms of which the request of the school for including names of 35 students in Class 10 and for issuing roll numbers to such students has been declined.

Pleadings on record would indicate that there were a total of 137 students in Class 10 in the school. It is not disputed that pertaining to Class 10 the necessary particulars including

admission dates etc. had to be furnished to CBSE two years prior to the exams. In other words for the Class 10 examination being conducted in the month of March, 2019 the details ought to have been uploaded and furnished by the school in the year 2017 itself.

Case projected by the school is that for 102 students the details had been furnished/uploaded but on account of negligence and inadvertence details of 35 students were not furnished to the CBSE authorities.

A copy of the writ paper book had been furnished to Mr.Setia, Advocate representing the CBSE on a previous date of hearing.

During the course of resumed hearing today Mr.Setia who is assisted by the Regional Officer, CBSE Office, Sector 5, Panchkula would contend that the 35 students regarding whom the prayer has been made in the instant petition were not regular students of the school and rather are back door entrants.

Prima facie this Court is inclined to accept such submission made on behalf of CBSE.

Counsel representing the petitioner-school seeks a short accommodation to furnish relevant material/record which as per him would be conclusive evidence to show that the 35 students in question were regular students of the school and have been studying for the past many years.

List for further consideration on 11.03.2019.

To be taken up at serial no.1 in the urgent motion list.”

Mr. D.S. Patwalia, learned senior counsel assisted by Mr. Sardavinder Goyal, Advocate make a statement at the bar that they have no instructions. There has been no contact from the School/authorities and no record has been made available to them so as to substantiate before this

Court that such 35 students were regular students studying in the School.

Since counsel for the petitioner/School has pleaded no instructions, writ petition is dismissed for non-prosecution.

11.03.2019

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |