IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.6388 of 2020

Decided on: 31st December, 2020

Ayush

.....Petitioner

Versus

Himachal Pradesh Board of School Education

.....Respondent

Coram

The Hon'ble Mr. Justice Tarlok Singh Chauhan, Judge

The Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge

[1] *Whether approved for reporting?*

For the petitioner: Mr. Dinesh K. Thakur, Advocate.

For the respondent: Mr. Vir Bahadur Verma, Advocate.
(Through Video Conferencing)

Tarlok Singh Chauhan, Judge *(Oral)*

The instant writ petition has been filed by the petitioner for the grant of following substantive reliefs:-

> *"i) A Writ in the nature of Mandamus may be issued to the respondent regarding declaration of +2 examination result, in which petitioner appeared from dated 4.03.2020 to 21.03.2020 against issued roll no.2090465011.*
>
> *ii) That the respondent may be directed in case of delayed declaring result of petitioner for march, 2020, the respondent may not take any extra late fees for +2 exams in case of failure of result to apply further for March 2021 examination."*

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[1] *Whether reporters of Local Papers may be allowed to see the judgment?*

2. Admittedly, the petitioner has passed his matriculation examination in August, 2018 (24.08.2018), as per Annexure P/1, from "Grameen Mukt Vidhyalayi Shikshan Sansthan". The only hurdle in not declaring the result of the petitioner is on account of non-recognition of Grameen Mukt Vidhyalayi Shikshan Sansthan with the Himachal Pradesh Board of School Education, i.e. the respondent herein.

3. However, similar issue came up before this Court in ***CWP No.849 of 2019, titled Priyanka Devi*** vs. ***State of H.P. and others,*** decided on 10.09.2019, wherein learned Standing Counsel for respondent No.2-Board had placed on record written instructions, which revealed that during the period from 01.12.2017 to 05.02.2019, "Grameen Mukt Vidhyalayi Shikshan Sansthan", i.e. respondent No.3, was duly recognized with the Himachal Pradesh Board of School Education, i.e. respondent No.2.

4. Therefore, once the petitioner has appeared for matriculation examination during the period when Grameen Mukt Vidhyalayi Shikshan Sansthan was recognized by the respondent, the petitioner was rightly admitted in 10+2

examination by the respondent.

5. Therefore, in such circumstances, there is no impediment in not declaring the result of the petitioner.

6. Accordingly, the instant writ petition is allowed and the respondent is directed to declare the result of the petitioner for 10+2 examination, within a period of two weeks from today.

7. The instant writ petition stands disposed of in the aforesaid terms, so also the pending application(s), if any.

Copy dasti.

(Tarlok Singh Chauhan)
Judge

(Jyotsna Rewal Dua)
Judge

December 31, 2020
(Mukesh)