

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

Sr. No.115

CWP No.3706 of 2020

DATE OF DECISION : February 11, 2020

**TAGORE SENIOR SECONDARY SCHOOL, GAUSHALA ROAD,
MAJRA KHURD, MOHINDERGARH**

..PETITIONER

VERSUS

**CENTRAL BOARD OF SECONDARY EDUCATION AND
ANOTHER**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Devender Arya, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

The petitioner had approached this Court through CWP No.2371 of 2020 as a representation made by it for change of examination centre was not being decided. The said writ petition was disposed of vide order dated 29.01.2020 (Annexure P-7) and a direction was issued to the CBSE to take an appropriate decision on the representation made by the petitioner. Decision dated 08.02.2020 (Annexure P-8) has been taken and the request of the petitioner for change of examination centre has been rejected. Thus, the present writ petition has been filed.

2. Learned counsel for the petitioner submits that the examination centre given by CBSE is not very viable because the management of the said school harasses the students of the petitioner, being a competitor and thus, the environment is not conducive for the students to take their examination. Further, the school is at a distance of 11 kilometers and a

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railwayline intervenes. Three trains pass over the railwayline between 9.00 am to 10.00 am and thus, the students may get late in reaching the examination centre. Consequently, the impugned order be set aside as respondent has not considered the difficulty of the students in reaching the venue.

3. So far as the grievance regarding harassment of the students is concerned, the impugned order makes it abundantly clear that the CBSE would safeguard the interests of the students and would prevent any harassment. Regarding the difficulty in reaching the venue, the writ court is not equipped to pass a decision on the issue. The CBSE is the competent authority for taking a decision. It has the responsibility to allot a large number of examination centres and various considerations have to be taken into consideration for the said purpose. Upon consideration of all these aspects, a decision would have been taken. No mala fides have been alleged nor is it possible to allege malafides as the CBSE is not a competitor of the petitioner. Administrative decisions are within the domain of the administrative authority and cannot be interfered with unless the decision making process is shown to be flawed or illegal. No illegality or perversity has been pointed out in the decision making process.

4. Thus, I do not find any merit in this writ petition. The same is dismissed.

February 11, 2020

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned	Yes
Whether Reportable	No