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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: 18.02.2020

+ W.P.(C) 1876/2020 & CM No.6599/2020

RAVINDER NATH DUBEY Petitioner

Through: Petitioner in person

versus

CENTRAL BOARD OF SECONDARY EDUCATION
THROUGH ITS CHAIRPERSON Respondent

Through: Mr. Amit Bansal & Ms. Seema Dolo,
Advs.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT

D.N. PATEL, CHIEF JUSTICE (ORAL)

1. This so-called Public Interest Litigation has been preferred with the following prayers:

“(a) Pass an appropriate writ, order or direction in the nature of mandamus directing the respondent to rectify the error in marking scheme-2019-2020 accountancy of class 12th sample question papers, in the interest of justice.

(b) Pass any other and further order as this Hon'ble Court may deem fit, just and proper in the facts and circumstances of the case.”

2. We have heard the petitioner in person and the counsel appearing for the respondent at length. This petitioner is a tutor, as submitted by him, and

is giving private tuitions.

3. Looking to the facts of the case, it appears that this petition has been preferred for so-called wrong answers given by the respondent in their Sample Accountancy Paper. It appears that this is not an examination paper at all for the XIIth standard in Accountancy subject. This type of sample papers are given by the respondent Board so that students can practice at home.

4. Thus, for practicing for the final examination, some question papers have been drafted by the respondent and the answers have also been provided by the respondent.

5. This petitioner is finding fault with some answers provided by the respondent in a practice/sample papers, which has nothing to do with the final examination of the XIIth standard.

6. Thus, we see no reason to entertain this writ petition because practice/sample papers are only for practice for the students who are going to appear in XIIth standard Accountancy paper. Some questions have been drafted by the respondent and the answers have been given.

7. Hence, we see no reason to entertain this writ petition as no error has been committed by the respondents in their final examination papers for XIIth standard.

8. Besides, we note that the representation, by the petitioner to the CBSE, on this score, stands rejected by the CBSE. We cannot sit in appeal over the decision of the CBSE in this regard.

9. With the aforesaid observations, this writ petition is hereby disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J

FEBRUARY 18, 2020
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