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

+ LPA 154/2020

RUKMINI DEVI PUBLIC SCHOOL Appellant
Through: Ms.Shantha Devi Raman,
Advocate for applicant

versus

CENTRAL BOARD OF SECONDARY
EDUCATION & ORSRespondents
Through: Mr.Amit Bansal and Ms.Seema
Dolo, Advocates for R-1
Mr.Rajesh Gogna CGSC with
Mr.Akshya Adv for R-2

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA
HON'BLE MR. JUSTICE BRIJESH SETHI

% **ORDER**
28.07.2020

1. The hearing has been conducted through video conference.

CM APPL.16623/2020

2. Allowed, subject to all just exceptions with the condition that as and when the Courts resume normal working, the requisite court fee will be paid within 05 days.

CM APPL. 16622/2020

3. Issue notice. Mr. Amit Bansal, learned Standing Counsel for CBSE, accepts notice. Mr. Rajesh Gogna, learned Standing Counsel for UOI, also accepts notice.

4. The applicant is seeking permission to conduct the re-examination for failed students of 9th and 11th standards in respect of their seven minority aided schools in terms of the order dated 10th July, 2020 passed by this Court.

5. Learned counsel for CBSE submits that CBSE has no objection to the application. Mr. Rajesh Gogna, learned Standing Counsel, submits that he will take instructions from Central Government.

6. This Court is of the *prima facie* view that there is no impediment to the applicant conducting the re-examination for the failed students of 9th and 11th standards in terms of the order dated 10th July, 2020.

7. In that view of the matter, the application is allowed and the applicant is permitted to conduct the re-examination for the failed students of 9th and 11th standards in terms of order dated 10th July, 2020. Learned counsel for the applicant shall communicate the date of examination to Mr. Rajesh Gogna, learned Standing Counsel, who shall communicate the same to the Ministry of Home Affairs to ensure that the re-examination is conducted by the applicant school without any consequences.

8. The order be uploaded on the website of this Court forthwith.

J.R. MIDHA, J.

BRIJESH SETHI, J.

JULY 28, 2020
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