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

% Date of Decision: 22nd September, 2020

+ LPA 262/2020 & CM APPL. 23511/2020

YASH YADAV

..... Appellant

Through: Mr. Apurb Lal, Advocate

versus

CBSE & ANR.

..... Respondents

Through: Mr. Atul Kumar, Adv. for R-1

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PRATEEK JALAN

JUDGMENT

: **D. N. PATEL, Chief Justice (Oral)**

Proceedings in the matter have been conducted through video conferencing.

1. This appeal has been preferred by the original petitioner against an order dated 07th September, 2020 (Annexure A-1 to the memo of the appeal) passed in C.M. Appl.19353/2020 in W.P.(C)1427/2020. The impugned order dated 07th September, 2020 reads as under:-

"CM No.19353/2020

Learned counsel for the respondents seek time to file counter-affidavit.

Needful be done within three weeks from today. Rejoinder, if any, be filed within one week thereafter.

List on 12.10.2020."

2. In view of the aforesaid order, no rights and liabilities of the parties have been decided by the learned Single Judge. Time has been given to the counsel for the other side to file their counter affidavit. The writ petition is listed for hearing on 12th October, 2020 before the learned Single Judge.

3. Learned counsel for the appellant submitted that the result was declared on 15th May, 2020. When we asked a question as to when this appellant moved the application for declaration of the result, **wrong answer was given by the counsel for the appellant** that this appellant (original petitioner) moved an application in the month of June, 2020. Thereafter, this Court noticed from the list of dates and synopsis on record that the appellant moved an application for declaring the result of Class 10th on 14th August, 2020, three months after the declaration of results. This response of the learned counsel for the appellant is deprecated by this Court.

4. In view of the aforesaid facts, as no rights and liabilities of parties have been decided by the order under challenge, therefore, there is no substance in this LPA and the same is hereby dismissed with an observation that the matter shall be decided by the learned Single Judge as early as possible and practicable keeping in mind the practical difficulties narrated by this appellant (original petitioner).

CHIEF JUSTICE

PRATEEK JALAN, J

SEPTEMBER 22, 2020/ns

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