

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

Sr. No.130

CWP-17764-2021 (O&M)
Date of decision : 09.09.2021

Bhoumik

..... Petitioner

VERSUS

Central Board of Secondary Education and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. R. Kartikeya, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner is a student of Class-IX. He took the exam in the year 2020-21, but failed. His grievance is that he is not being given a re-test as was given to students who took the same examination in the academic session 2019-20.

The decision to give a re-test is exclusively within the administrative domain of respondent No.1. If, it has chosen not to give a re-test to students for the academic session 2020-21, it cannot be commanded to do otherwise. A writ in the nature of mandamus lies only, if there exists a legal right. No such right has been pointed out in this case and thus, no relief can be granted.

In view of the above, the writ petition has no merit and is dismissed.

(SUDHIR MITTAL)
JUDGE

09.09.2021

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No