

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

Sr. No.228

CWP-7709-2022 (O&M)
Date of decision : 22.04.2022

Neelam and others

..... Petitioners

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Rajat Mor, Advocate, for the petitioners.

Mr. Rajneesh Chadwal, AAG, Haryana

Mr. Kannan Malik, Advocate, for respondents No.2 and 3.

SUDHIR MITTAL, J. (Oral)

Learned counsel for respondents No.2 and 3 submits that the request of change of exam centre to Rohtak District cannot be accepted at this belated stage because, the examination is due to commence on 26.04.2022. Moreover, the father of the children, i.e. petitioners No.2 and 3 has objected to change of centre.

The case of the petitioners is that on account of matrimonial dispute, petitioner No.1-Neelam (mother) had to left the matrimonial home (in Kaithal District). Presently, she is residing at her parental house in Rohtak District and thus, the necessity has arisen for change of centre. The application for change of centre was submitted on 08.02.2022 to respondents No.2 and 3 as well as respondent No.4, but no action could be taken as respondent No.4 had not forwarded the same to respondents No.2 and 3.

The above facts show that the petitioners cannot be held liable for delay and for the application reaching the Central Board of Secondary Education (CBSE) at a belated stage. The fault squarely lies with respondent No.4 who allegedly was acting under the influence of the estranged husband of petitioner No.1. Objection raised by the father should have no bearing on the change in centre as admittedly, the children are presently residing in District Rohtak alongwith their mother.

Thus, the writ petition is allowed and respondents No.2 and 3 are directed to change the exam centre of petitioners No.2 and 3 to District Rohtak and in the near vicinity of their residential address.

A photocopy of this order be given to learned counsel for the parties under signature of the Bench Secretary of this Court.

(SUDHIR MITTAL)
JUDGE

22.04.2022

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No