

**128 RA-CW-64-2022 in CWP-20308-2021 and
RA-CW-61-2022 in CWP-20299-2021**

Annu and others Vs State of Haryana and others

Present: Mr. K.K. Gupta, Advocate
for applicant-respondent No.4.

These applications have been filed for review of order dated 10.01.2022 passed in CWP No.20308 of 2021 and CWP No.20299 of 2021.

It is submitted that the aforementioned writ petitions pertain to students of Class X for whom there was no declaration of result. Thus, there was no question of quashing of the result by the Chairman of the Board. Accordingly, the said cases should have been segregated from CWP No.19780 of 2021, which pertains to students of Class XII whose results were declared on the basis of assessment conducted in accordance with the policy dated 02.07.2021 (Annexure P-4). The prayer in the aforementioned writ petitions was only for quashing of communication dated 27.09.2021 (Annexure P-8) which directed the petitioners therein to take the off-line exam in October, 2021.

A perusal of the record shows that the prayer made was not only for quashing of the communication dated 27.09.2021 (Annexure P-8) but also for declaring the result of Class X examination in accordance with policy dated 02.07.2021 (Annexure P-4).

The case of the applicant is that the policy dated 02.07.2021 (Annexure P-4) was applicable only for declaration of Class XII result. It did not apply to students of Class X and thus, no direction could be issued to declare the result of students of Class X.

On being asked, learned counsel for the applicant has fairly admitted that in May, 2021, a policy was also framed for declaration of result of students of Class X. It is, however, submitted that the said policy was not a permanent feature and was only for the pandemic days and thus, the petitioners could not have got any benefit thereof.

The submission is completely misconceived. Admittedly, the class X session came to an end on 31.03.2021 and the policy was framed in May, 2021 on account of COVID-19 pandemic. Obviously, the petitioners in the aforementioned cases were covered by the said policy and thus, the result had to be declared in accordance therewith even though a prayer for declaration of the result was erroneously made basing the relief on a different policy which was not applicable.

Thus, no ground to review the order is made out. The review application is dismissed.

It is, however, clarified that directions in judgment dated 10.01.2022 for quashing of communication dated 27.09.2021 shall not apply to these cases.

A copy of this order be placed on the file of connected case.

29.04.2022
geeta

(SUDHIR MITTAL)
JUDGE