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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-1904-2023

Date of decision : 01.02.2023

Madhav Chauhan

...Petitioner

Versus

Central Board of Secondary Education and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Deepak Grover, Advocate for the petitioner.

Mr. Naveen Chopra, Advocate alongwith
Mr. Kuljit Singh Bal, Advocate
for respondent Nos.1 and 2-CBSE.

VIKAS BAHL, J. (ORAL)

This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the action of the respondents, whereby, the subject of the petitioner has been changed from Mathematics to Biology for class 10+2 annual examinations for the Session 2022-23.

Learned counsel for the petitioner has submitted that the petitioner has given a representation to respondent No.2, in which, he has detailed that the petitioner had applied for the Session 2021-22 of 11th class in CBSE by taking the subjects Physics, Chemistry and Mathematics and he had studied Mathematics in 11th class as well as in 12th class and had never studied Biology but however, at the time of the practical examination, the name of the petitioner did not reflect in the Mathematics List for the Session 2022-23 i.e. for class 12th and the petitioner then, found out that his name has been removed from the group of Physics Chemistry

and Mathematics and has been put in the group of Physics Chemistry and Biology for reasons unknown. It is further submitted that respondent No.3-School has also made a request dated 11.01.2023 to respondent No.2 for the change of subject of the present petitioner from Biology to Mathematics.

Learned counsel for the petitioner has contended that the examinations for the class 12th are going to start from 15.02.2023 and has thus, submitted that the petitioner would be satisfied in case, respondent No.2 is directed to decide the representation dated 11.01.2023 (Annexure P-3) after taking into consideration affidavit (Annexure P-4) filed by the petitioner within a period of one week from today.

On the other hand, Mr. Naveen Chopra, Advocate alongwith Mr. Kuljit Singh Bal, Advocate, appear on behalf of respondent Nos.1 and 2-CBSE and have submitted that decision on the representation dated 11.01.2023 (Annexure P-3) after taking into consideration the affidavit (Annexure P-4) would be taken by respondent Nos.1 and 2 within a period of one week from today.

Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with a direction to respondent Nos.1 and 2 to take a final decision on the representation dated 11.01.2023 (Annexure P-3) after taking into consideration affidavit (Annexure P-4) filed by the petitioner within a period of one week from today.

It is made clear that this Court has not opined on the merits of the case and it would be open to respondent Nos.1 and 2 to take an independent decision on the representation/affidavit in accordance with law.

01.02.2023*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**