

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 15043 of 2020 (O&M)

Date of Decision: 03.02.2023

Kiran Bala

... Petitioner(s)

Versus

National Institute of Open Schooling and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Kapil Kakkar, Advocate
for the petitioner(s).

Mr. Harsh Aggarwal, Advocate
for the respondent No.1 and 2.

Mr. Pardeep Kumar, Advocate
for the respondent No.3.

Mr. Vikas Arora, Assistant Advocate General,
Punjab, for the respondent No.4.

Anil Kshetarpal, J.

1. On 01.02.2023, the following order was passed:-

“The dispute is with regard to the marks awarded to the petitioner in the School Based Activity (SBA) subject in the 2nd semester. The petitioner has studied from Little Angel College of Education, Village Teh, Panniwala Fatta, District Muktsar Sahib. The aforesaid college has filed a reply admitting its mistake.

The learned counsel representing the petitioner while drawing the attention of the court to Annexure P/3, the statement of the detailed marks of the students submits that in

the subject of School Based Activity (Practical Assessment), all the students have been awarded marks in the range of 65 to 77, but in the case of petitioner, an inadvertent error crept in, and due to such clerical omission, the marks were misprint to figure 24 instead of 74.

The learned counsel representing respondent no.1 and 2 submits that there is a variation in the marks awarded to the petitioner in the aforesaid subject as in the initial detailed marks sheet the Principal had conveyed that the petitioner had secured 24 marks, whereas vide communication dated 21.12.2018, it was conveyed that the petitioner got 70 marks, whereas now the stand taken is that she secured 74 marks. He submits that the respondent no.3-College be directed to produce the assessment made by the Mentor and the Coordinator, who are required to assess the marks awarded to the student.

Adjourned to 03.02.2023.

To be listed in the urgent list.

The Principal of the concerned college along with the required record shall remain present in person, in the Court, on the next date of hearing.”

2. In deference to the order, Sh.Rajeev Chugh, Chairman and Sh.Raj Kumar Lecturer, Little Angel College of Education, Village and Tehsil Panniwala Fatta, District Sri Muktsar Sahib, have produced the original tabulated mark sheet/chart prepared by Sh.Raj Kumar, lecturer,

Education, Village and Tehsil Panniwala Fatta, District Sri Muktsar Sahib. From a perusal thereof, it is apparent that the petitioner was awarded 74 marks and there is no overwriting on the said chart. It is also evident that the students in the aforesaid College were awarded marks in the range of 60 to 80 but not even a single student out of the total 59 students was awarded marks as low as 24. Mr. Harsh Aggarwal, Advocate, learned counsel appearing for the respondent No.1 and 2 submits that the chart prepared by the College does not inspire confidence.

3. It is not in dispute that with respect to the subject of School Based Activity (practical assessment), it is the Little Angel College of Education which is required to make assessment and award marks. There is no involvement of any other body or official in awarding the said marks. It is also clear that the petitioner appears to be a meritorious student particularly when her marks in the various other subjects in the examination held by the National Institute of Open Schooling in D.El.Ed are as under:-

<i>Subject Code</i>	<i>Subject Name</i>	<i>Theory</i>	<i>Practical</i>	<i>TMA</i>	<i>Total</i>	<i>Result</i>
501	<i>Elementary Education In India: A Socio-Cultural Perspective</i>	046		024	70	<i>p</i>
502	<i>Pedagogic Process in Elementary Schools</i>	056		025	81	<i>p</i>
503	<i>Learning Languages at Elementary Level</i>	051		023	74	<i>p</i>
504	<i>Learning Mathematics at Elementary Level</i>	038		024	62	<i>p</i>
505	<i>Learning Environmental Studies (EVS) at Primary Level</i>	053		025	78	<i>p</i>
511	<i>School Based Activities</i>	XX	024	XX	24	<i>SYCP</i>
512	<i>Workshop Based Activities</i>	XX	085	XX	85	<i>p</i>

4. In the light of the above facts, the Chairman of the College is being warned to be careful while preparing such important documents.

5. Keeping in view the aforesaid facts, the writ petition is disposed of by directing the respondent No.1 and 2 to carry out the necessary correction in the chart of the result sent to them by the Little Angel College of Education, within a period of one month, from today, positively.
6. The miscellaneous application(s) pending, if any, shall also stand disposed of.

(Anil Kshetarpal)
Judge

February 03, 2023
“DK”

Whether speaking/reasoned :Yes/No
Whether reportable : Yes/No