

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

(233)

CWP-25033-2017

Date of decision: - 05.12.2023

Saurabh**....Petitioner****Versus****CBSE and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- None for the petitioner.

Mr. Kannan Malik, Advocate
for respondents No.1 and 2.

None for the remaining respondents.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for the issuance of a writ especially in the nature of mandamus directing the respondents to declare the result of the petitioner for the 10th Class for the sessions 2016-17 and also issue DMC.

2. Learned counsel for respondent Nos.1 and 2 has submitted that in the present case, respondent No.3-school for the benefit of the petitioner was pleased to file a petition bearing CWP-5262-2017, which was withdrawn on 30.08.2017. It is further submitted that the prayer in the said writ petition was for allowing the present petitioner along with other students to appear in the examination of Class 10th. It is stated that in the said petition i.e., CWP-5262-2017, a wrong statement has been made at the time of issuance of notice of motion. It is stated that the

present writ petition has been filed for direction to the respondents to declare the result of the petitioner of 10th Class and the same would be barred by the principle of constructive res judicata.

3. None has appeared on behalf of the petitioner to rebut the said aspect.

4. Dismissed for non-prosecution.

December 05, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No