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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Decided on: 31st May, 2023*

+ W.P.(C) 7417/2023

MS ANANYA TIWARI THROUGH FATHER GUARDIAN
SHRI SANJAY KUMAR TIWARI Petitioner

Through: Mr. Jatin Rajput, Mr. Rajesh
Kumar Jha, Mr. Varun Panwar,
Mr. Sandeep Kumar, Advocates
(M:9868242577)

versus

CENTRAL BOARD OF SECONDRY EDUCATION

..... Respondent

Through: Mr. M.A. Niyazi, Standing
Counsel for CBSE with Ms.
Anamika Ghai Niyazi, Ms.
Kirti Bhardwaj, Ms. Nehmat
Sethi, Mr. Arquam Ali,
Advocates
(M:9569156376,email:niyazi78
6@gmail.com)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

[Physical Hearing/ Hybrid Hearing]

MINI PUSHKARNA, J. (ORAL):

1. The present writ petition has been filed against the Central Board of Secondary Education (CBSE) wherein it is contended that despite the CBSE accepting her online form and fees and issuing the admit card and allowing her to sit in the examination, the CBSE is not releasing the examination result of the petitioner, on the ground that she has not opted for the compulsory language subject i.e. Hindi.



2. True copy of the admit card issued by the CBSE has been placed on record, which shows that the petitioner has been allowed to take examination of the following subjects:-

1. *English (Language and Literature)*
2. *Science*
3. *Home Science*
4. *Social Science*
5. *Mathematics Basic*

3. The aforesaid admit card does not mention the subject Hindi.

4. Thus, it is the contention on behalf of the petitioner that once the CBSE has allowed the petitioner to appear in the examination without taking the compulsory subject Hindi, then the result of the petitioner cannot as such be withheld by the CBSE.

5. It is further submitted that the petitioner is ready to take the examination of Hindi language, which is compulsory subject as per the stand of the CBSE.

6. On the last date of hearing, Id. Standing Counsel for CBSE had taken time to seek instructions. Today, Mr. M.A. Niyazi, Id. Standing Counsel for CBSE submits that CBSE has reconsidered the matter. It is submitted that the CBSE is ready to declare the result of the petitioner for four subjects, except Home Science, within a period of two weeks. He further submits that since the petitioner by an earlier application opted for Hindi instead of Home Science, therefore, the result of Home Science shall be withheld.

7. He further submits that the petitioner will be allowed by the CBSE to take the compartment examination of Hindi language which is likely to be held in the month of July 2023.



8. Ld. counsel for the petitioner, upon instructions, submits that the aforesaid submissions as made on behalf of the CBSE is acceptable to the petitioner. He, thus, submits that the petitioner would agree that the result of Home Science subject is withheld by CBSE and instead petitioner will take compartment examination of Hindi language.

9. In view of the aforesaid submissions made on behalf of the respective parties, it is directed that the CBSE shall declare the result of the petitioner within a period of two weeks, except the subject of Home Science, which shall be withheld.

10. Further, the petitioner shall approach the CBSE with requisite documents, so that the CBSE releases the Admit Card for the compartment examination of Hindi language, which is likely to be held in the month of July 2023.

11. After the petitioner takes the examination of Hindi language and is declared successful in the same, the CBSE shall declare the consolidated result of the petitioner and issue Marksheet to the petitioner accordingly, which shall reflect the consolidated marks of all the subjects including Hindi language, except Home Science.

12. It is clarified that in case the petitioner is not successful in any of the four subjects for which result is declared by the CBSE, the petitioner shall be entitled to take compartment examinations in terms of the CBSE Rules.



13. With the aforesaid directions, the present writ petition is disposed of.

MINI PUSHKARNA, J

MAY 31, 2023

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