

S/L 15
08.01.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 229 of 2024

Sri Soham Das

Vs.

Central Board of Secondary Education & Ors.

Mr. Subir Sanyal, Sr. Adv.

Ms. Sumouli Sarkar

Mr. Sourojit Mukherjee

Mr. Trijit Mitra

...for the Petitioner.

Mr. U.S. Menon

Mr. Abhirup Chakraborty

...for the Respondent No.1.

Ms. Munmun Tewary

...for the Respondent Nos.4-6.

1. The petitioner appeared in the Senior School Certificate Examination 2021 conducted by the Central Board of Secondary Education. He is aggrieved by the marks awarded to him.

2. As the subject examination fell during the Covid period, the Central Board of Secondary Education published a Circular on August 8, 2021 as per the direction given by the Hon'ble Supreme Court prescribing the policy for tabulation of marks and the manner in which the disputes of the students are to be resolved.

3. The petitioner contends that in terms of the aforesaid Circular dated August 8, 2021 objection was raised within the due date before the school but the petitioner has not been intimated the fate of the said objection. A written representation was made to the school on September 6, 2023 but there has been no response to the same till date.

4. The petitioner has disclosed in the representation filed before the school on September 6, 2023 that though the result of the Board examination was declared in July 2021 and he made the objection before the school in August 2021 in terms of the Circular dated August 8, 2021 but as he was pursuing the B.Tech course at Vellore Institute of Technology and he had to appear in several entrance examinations conducted by different Universities/Colleges for admission in the under-graduate course, accordingly, he could not ventilate his grievance either before the Board or before this Court prior to 2023 when he got a break of about two weeks from his studies.

5. The petitioner submits that he got very high marks in the Class-X board examination but his marks in the Class-XII board examination got substantially reduced. Because of illegal reduction of marks in the Class-XII level, the petitioner is losing his opportunity to get appointment in good companies.

6. Prayer has been made to revise the marks of the petitioner awarded in the Class-XII board examination and to issue fresh mark-sheet mentioning the revised marks.

7. The submission and prayer of the petitioner is opposed by the learned advocates representing the Board and the school.

8. It has been submitted that the examination was conducted way back in 2021 but the petitioner has approached the Court in the year 2024.

9. Learned advocate for the Board refers to the modalities set out in the Circular dated August 8, 2021 for redressal of the disputes raised by the candidates.

10. It appears that the Board set up a '*School Request Submission for Resolution (SRSR)*' system where the disputes were to be uploaded. A Committee was constituted for resolution of the disputes. The Circular prescribed specific timelines within which the disputes were to be resolved. It appears therefrom that the entire process of resolution of the dispute ended in August 2021.

11. The petitioner though claims that an application was made through the school within the time schedule disclosed by the Board, but the learned advocate representing the Board submits, upon specific instruction that, mass request on behalf of the students made by the Principal of the school was duly considered and disposed of. There was no separate objection for or on behalf of the present petitioner.

12. The specific complaint allegedly made by the petitioner annexed at page 52 of the writ petition was not received by the Board. The subject objection at page 52 is an undated one and there is no proof that

the said representation was either submitted before the school or the Board.

13. Upon hearing the submissions made on behalf of both the parties and on perusal of the materials before this Court, it appears that admittedly, the result of the subject examination stood declared in July 2021 during the Covid period. The Board claims to have acted in terms of the Circular which was issued on August 8, 2021 in compliance of the direction passed by the Hon'ble Supreme Court. The Dispute Redressal Committee set up by the Board has been dissolved on the date as prescribed in the subject Circular.

14. Though the petitioner claims that objection was filed within the prescribed date, but it appears that the petitioner was not vigilant enough to pursue with his objection. He proceeded with his studies in the graduate level. Only after expiry of more than 2½ years after publication of the Board result, the petitioner filed the instant writ petition on January 4, 2024 claiming relief against the Board praying for issuance of fresh mark sheet upon revision of the marks awarded to him.

15. The Court is of the opinion that the explanation provided by the petitioner for the delay in approaching the Court cannot be accepted in the facts and circumstances of the instant case. The Board cannot be mechanically directed to revise the marks of the petitioner. The Committee which was set up for the

particular purpose is no longer available. The Circular and the guidelines and modalities published by the Board are no longer in force.

16. Had the petitioner been genuinely aggrieved by the marks awarded to him, he ought to have rushed either to the authority or the Court within the shortest time possible. The same has not been done.

17. On May 6, 2024 when the writ petition was taken up for consideration by the Court, the petitioner remained unrepresented though the respondents were duly present.

18. In the aforesaid facts and circumstances, the Court is not inclined to interfere in the instant writ petition.

19. The writ petition fails and is hereby dismissed.

20. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

(Amrita Sinha, J.)