IN THE HIGH COURT OF HIMACHAL PRADESH
SHIMLA

CWP No. 2625 of 2016

Date of Decision: 26.10.2026.

Shihlpa Gadwal ...Petitioner.

Versus

State of H.P. & others ...Respondents.

Coram:

The Hon'ble Mr. Justice Ranjan Sharma, Judge.

Whether approved for reporting?[1]

For the petitioner : Mr. Rajesh Kumar, Advocate.

For the respondents : Mr. Vishavdeep Sharma, Additional Advocate General, for respondents No. 1 and 2.

Ms. Manisha Thampta, Advocate, vice counsel for respondents No. 6, 9 and 19.

Mr. Atul G. Sood, Advocate, for respondent No.7.

Mr. Vikas Rathore, Sr. Advocate with Mr. Skand Sharma, Advocate, for respondent No.8.

Ranjan Sharma, Judge:

Petitioner has come up before this Court, seeking the following reliefs:-

"(1). That an appropriate writ, order or direction directing respondent No.3

[1] ***Whether reporters of Local Papers may be allowed to see the judgment? Yes***

HP University to registered the name of the petitioner and issue registration certificate to her with immediate effect;

(2). That the respondent No.4 may kindly be directed to give equivalence certificate to the petitioner, within the shortest possible time."

2. Grievance is that the petitioner passed her Matriculation in 2014 as per Annexure P-1 and also 10+2 from Rural Institute of Open Schooling, Delhi, [affiliated to Chhattisgarh State Open School, Raipur].

2 (i). In instant petition, the claim has been raised to direct Respondent No. 3-University to register her name and to issue Registration Certificate and to direct the Respondent No.4-Himachal Pradesh School Education Board to give equivalence certificate to the petitioner, as Respondent-University has failed to accept her examination fee, for BBA 5th Semester, unless, the equivalence certificate was produced from Respondents No. 6 and 7 i.e Rural Institute of Open Schooling, Delhi.

3. Upon issuance of notice on 06.10.2016 Respondent No. 3 University filed a Reply-Affidavit dated 20.11.2016 of Registrar, Himachal Pradesh University stating that as per

Clause 2.1 of First Ordinances of Himachal Pradesh University [Annexure R-3/A], Respondent No. 8 had erroneously given admission to the petitioner in Bachelors of Business Administration [BBA], without verifying the qualification certificate of 10+2 [Intermediate Certificate Examination]. Reply/Affidavit indicates that the Matriculation and 10+2 Examination passed by petitioner from Respondents No.6 and 7-Rural Institute of Open Schooling, Delhi was "Not an Equivalent Examination" to the examinations conducted, by Respondent-Board of School Education and since the petitioner did not possess requisite qualification required for recognizing the admission of the petitioner in BBA Course, therefore, the petitioner is "not entitled to be registered" by Respondent University.

3 (i). Even, Respondent No.4-Board has filed a Reply-Affidavit dated 09.12.2016 by Secretary of H.P. Board of School Education that Respondents No. 6 and 7 Rural Institute of Open Schooling, Delhi was never recognized with the Respondent-Board and though Respondents No. 6 and 7 Institute had applied to the Board for giving equivalence on 08.10.2016 and Respondent-Board in terms of Chapter 17 of Himachal Pradesh Board of School Education [Recognition of

Examinations of Other Universities, Boards, and Bodies] Regulations 2009 [Annexure R-4/1], has requested to furnish documents but for want of furnishing the desired documents, the Respondent-Board *"rejected the claim for equivalence"* to Rural Institute of Open Schooling, Delhi, in terms of the regulations. In these circumstances, the name of Respondent No.6-Institute was included in list of "Universities/Board/Institute, which were Not Recognized for purpose of admission to higher studies as per [Annexure R-4/2].

4. Petitioner has chosen not to file a rejoinder, so as to controvert the stand in Reply-Affidavit.

5. After hearing Learned Counsel for petitioner, the matter was adjourned on 14.09.2026 for a week, so as to enable her to have Instructions as to whether the petitioner had passed her BBA Course from Respondent No.3 Institute and whether she has been awarded the Degree by Respondent No.3/University and whether the petitioner has been granted "registration and equivalence certificate" or not; and whether any grievance still survives or not?

6. Matter was listed on 22.09.2026, when, this Court had passed the following orders:

> "Sequel to the order dated 14.09.2026, Learned Counsel for the petitioner states that he has sent an intimation to the petitioner through Speed Post on 16.09.2026 conveying Instructions but the said instructions are awaited. For inferring presumption of service, a wait for 30 days is mandatory. Resultantly, hearing is deferred.
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> List the matter on **26.10.2026."**

7. Considering the Reply-Affidavit and the material on record coupled with the fact that the petitioner has not come-forth to pursue her claim/grievance, in instant petition despite orders dated 11.09.2026, therefore, this Court does not find any merit, in the claim; and the matter is closed.

8. Needless to say, that in case, the Respondent-University or the Respondent-Board has given recognition and/or equivalence to the Matriculation and 10+2 Examinations conducted by the Respondents No. 6 and 7-Institute, during the pendency of the present petition, and based on such qualification, the petitioner has passed BBA Examination from Respondent No.8-Institute, as per norms, in that event, the same shall have precedence and the closure of this petition shall not prejudice the acquired right/benefits by the petitioner.

9. In aforesaid terms, instant petition and all pending applications shall stand disposed of.

(Ranjan Sharma)
Judge

October, 26 2026.
(kck)