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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 5274/2026, CM APPL. 25943/2026, CM APPL. 25944/2026
CM APPL. 25945/2026, CM APPL. 27604/2026

TANUJ CHAUDHARY

.....Petitioner

Through: Mr. Ankur Agarwal, Mr. Lokesh
Yadav and Mr. Ananay Lamba,
Advocates.

versus

THE SOVEREIGN SCHOOL & ORS.

.....Respondents

Through: Ms. Shikha Sharma Bagga, Ms.
Shivani, Mr. Kamlesh Jha Advs.for R1
Ms. Seema Dolo, Advocate for
R-4/CBSE
Mr. Dhruv Rohatgi, PC GNCTD, Ms.
Chandrika Sachdeva, Mr. Dhruv
Kumar Advs. for GNCTD/ R-2 and 3

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **30.04.2026**

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

*“a) issue writ, order, or direction in the nature of mandamus or any other writ directing the respondent no.1 to grant admission to petitioner in Class XII and return class XI marksheet illegally snatched from the petitioner; and
b) issue writ, order, or direction in the nature of mandamus or any other writ directing the respondent no.2 to 4 to take action against the respondent no.1 for refusal to admit*



petitioner in class XII despite passing class XI exams.

c) Further issue writ, order or direction in the nature of mandamus/ certiorari or any other writ ,direction thereby directing the respondent no.1 to compensate the petitioner for Rs-10,00,000/(Rupees ten Lakhs Only) for causing unnecessary harassment, mental pain, agony to the petitioner; and for loss of education.

d) Further impose cost on respondents.”

2. The case of the petitioner is that the petitioner is a minor of age 16 years old and is represented through his father. The petitioner was admitted in respondent No. 1 School under the EWS category and cleared his Class XI examination with 49% marks.
3. However, the petitioner was verbally denied to sit in Class XII. Hence, the present petition.
4. The respondent No. 1 has annexed the report card of the petitioner (ANNEXURE-R1/1 annexed with its reply) and the same is extracted below:-



REPORT CARD SESSION-2025-26			
Student's Name	: Tanuj Chaudhary	Admission No.	: E00106
Class	: XI COM	Date of Birth	: 19 Jan 2010
Father's Name	: Shishpal Singh	Mother's Name	: Sukhbiri



Subject		Term I		Term II	
		Periodic Test-I	Half Yearly	Periodic Test-II	Term II
ENGLISH	Theory	9/20	24*/80	13.5/20	45.5/80
	Practical		19/20		15/20
PHYSICAL EDUCATION	Theory	16/20	39/70	12/20	40/70
	Practical		27/30		21/30
ACCOUNTS	Theory	11/20	32/80	3.5*/20	29.5/80
	Practical		12/20		16/20
BUSINESS STUDIES	Theory	8/20	27/80	4.5*/20	31/80
	Practical		12/20		18/20
ECONOMICS	Theory	3*/20	13*/80	11/20	26*/80
	Practical		18/20		19/20
PSYCHOLOGY	Theory	7/20	11*/70	5.5*/20	20.5*/70
	Practical		28/30		25/30
Attendance		108/116		198/230	

* Symbol denotes that the student has failed in the subject

Co-Scholastic

Area	Grade
Work Education	A
Art Education	A
Discipline	A

Remarks :

Compartment in Economics and Psychology..

Class Teacher

Parent Sign

Principal(Ms Preetika Gupta)

PTM Date: 21-03-2026

CO-SCHOLASTIC GRADING SYSTEM	
GRADE	REMARKS
A	3
B	2
C	1

5. As per the remarks, the petitioner got compartment in “Economics” and “Psychology”.



6. Subsequently, the petitioner appeared in the compartment exam for “Economics” and got 21 marks out of 80 marks.

7. It is stated by Mr. Jha, learned counsel for the respondent No.1, that on this account the petitioner has not been promoted to Class XII.

8. Ms. Sachdeva, learned counsel for respondent Nos. 2 and 3, has handed over in the Court copy of an Order dated 07.07.2022 named as “Sub: Promotion Policy for Classes III to IX & XI w.e.f. Academic Session 2022-23”, with which an order dated 09.10.2019 named as “Sub: Strengthening Assessment & Evaluation Practices and Promotion Policy for Classes IX to XII w.e.f. Academic Session 2019-20” is also enclosed. She draws my attention to the clause No. 12 of the order dated 09.10.2019 by heading “Grace Marks”, which reads as under:-

“12. Grace Marks:

(a) Grace marks up to maximum of 10 in all, shall be awarded to a student to reach the minimum required 33% of marks in each subject, provided that a minimum of 25% of marks are secured in each subject at the Annual Examination as per Rule 11 (a) to make him/her eligible for promotion.

(b) Provided that he/she does not require more than 05 marks in one subject to come up to the minimum required of 33% of marks in that subject. However, no grace marks shall be awarded to a student for taking the Compartment Examination.”

9. Ms. Dolo, learned counsel for the CBSE/respondent No.4, states that as of today the CBSE does not have any policy of awarding grace marks for Classes IX and XII and since, the respondent School has been granted



recognition by DoE, the DoE Rules may be applicable. Hence, no counter-affidavit/ reply is required.

10. From the perusal of report card of the petitioner, as reproduced above, it seems that the petitioner has obtain 26 marks out of 80 marks in the “Economics” and the same is little less than 33%. In “Psychology”, the petitioner has got 20.5 marks but the same is the 6th subject and not relevant for promotion to the next class.

11. As per the “Scheme of Examination and Pass Criteria” (ANNEXURE-R1/5 annexed with reply of respondent No.1), 26.66 marks would constitute 33%, but grace marks can be awarded in terms of circular dated 07.07.2022.

12. In this view of the matter, the petition is allowed and the petitioner will be considered passed in Class XI in the subject “Economics” by awarding of grace marks in accordance with Clause Nos. 12 (a) and (b), as reproduced above.

13. The respondent School shall permit the petitioner to sit and appear Class XII and the respondent Nos. 2, 3 and 4 shall take adequate steps to ensure that no impediment is caused in the educational progress of the petitioner.

14. The present petition is disposed of in the aforesaid terms, along with pending applications, if any.

15. The documents handed over in the Court are taken on record.

JASMEET SINGH, J

APRIL 30, 2026/ar