

**(2018) 02 CHH CK 0115**

**Chhattisgarh High Court**

**Case No:** WPPIL No. 13 Of 2018

Bhavesh Mahajan

APPELLANT

Vs

Amit Gupta Tahsildar And Ors

RESPONDENT

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**Date of Decision:** Feb. 6, 2018

**Hon'ble Judges:** Prashant Kumar Mishra, J; Ram Prasanna Sharma, J

**Bench:** Division Bench

**Advocate:** Bhavesh Mahajan, Rajendra Tripathi

**Final Decision:** Disposed Of

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### **Judgement**

Prashant Kumar Mishra, J

1. The petitioner is a Teacher in Government Girls Higher Secondary School, Chakarbhatta, Block Belha, District Bilaspur. He has preferred this

petition seeking stay on declaration of the result of the National Talent Search Examination (NTSE) Level-1 and National Means-Cum-Merit

Scholarship Examination (NMMSE) Level-1 and for issuance of social status certificate in favour of 124 students of the School.

2. Shri Mahajan, petitioner in person, would submit that the concerned authority, who is obligated to process the application for issuance of social

status certificate has not taken interest for issuing the certificate, therefore, majority of the students have been deprived of the certificate. He would

submit that for want of caste certificate and income certificate the students have not been allowed to appear in the NTSE and NMMSE, which is

causing irreparable harm to the students.

3. It appears, the petition has been filed for protection of the interest of the students studying in the petitioner's school. The beneficiary of the petition

is an identifiable class. Even if the petitioner is not to be benefited, if the relief is allowed in this petition, the beneficiaries, being students of the school, can prefer the writ petition as permitted under the rules of the Court.

4. Even otherwise, the Level-1 Examination of the NTSE and NMMSE, according to the petitioner, has already taken place in November, 2017. The petition, thus, suffers from delay and laches.

5. At this stage, neither the examination can be cancelled or stayed, as it is an All India Examination, nor the students can be permitted to appear in the next level examination, as they have not appeared in the Level-1 examination.

6. Since the applications of the students for issuance of social status certificate have been processed through the school, the petitioner may prefer a representation before the Collector, Bilaspur, within a period of fortnight along with copy of this order. Thereafter, the Collector shall look into the matter and do the needful for issuance of social status certificate in favour of the concerned applicant, after following the due procedure and in accordance with law.

7. With the aforesaid observations, the writ petition is disposed of.