

**(2013) 08 P&H CK 0813**

**High Court Of Punjab And Haryana At Chandigarh**

**Case No:** C.W.P. No. 16871 of 2013 (O and M)

Sohan Lal and Others

APPELLANT

Vs

Board of School Education  
Haryana and Others

RESPONDENT

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**Date of Decision:** Aug. 19, 2013

**Hon'ble Judges:** Rakesh Kumar Jain, J

**Bench:** Single Bench

**Advocate:** Sandeep Kotla, for the Appellant; Rajesh Sheoran, Advocate for Respondents No. 1 and 2 and Mr. Sandeep Singh Jattan, Advocate, for the Respondent

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**Judgement**

Rakesh Kumar Jain, J.

I am proposing to dispose of two writ petitions bearing C.W.P. No. 16871 of 2013 and C.W.P. No. 16916 of 2013 by a common order as the issue involved in both the cases are same. The petitioners are students, who have prayed for a direction to respondents No. 1 and 2 to declare their result of second semester of Class 10th in the first petition and Class 10+2 in the second petition.

2. After the notice, reply has been filed. Counsel appearing for respondent No. 3-School has submitted that the respondent-Board had served notice to the School on finding certain discrepancies/ deficiencies which are compoundable on payment of certain amount of fine. It is further submitted by Counsel for the School that the said amount has already been paid and has been accepted by the Board. In this regard, counsel for the School has also placed on record instructions which are approved by the Board in its meeting dated 8.5.2006.

3. During the course of hearing, Mr. Rajesh Sheoran, counsel for the Board has sought instructions from Superintendent working in the Board at Bhiwani and stated that the case of the petitioners is covered by the decision of the Board dated 8.5.2006 as per which in case of any deficiency, the school can be penalised in terms of money which has already been done and the money has been received. He has thus submitted that the Board shall declare result of the petitioners within a week

from today.

4. Hence, both the writ petitions are allowed and the respondent-Board is directed to declare result of the petitioners in both the writ petitions on or before 23.8.2013 and upload the same on its official website.

5. Before parting with this order, counsel for the petitioners has submitted that the petitioners are not aware of their result and in case some of them are declared failed, then they will not be able to appear in the supplementary examination for which last date for filling up the forms is tomorrow. He prays for an interim arrangement. Since I have directed the Board to declare the result on or before 23.8.2013, therefore, equity demands that right be reserved for such petitioners(students) who might not pass in the examination which they had already taken and the result thereof is to be declared by the Board on or before 23.8.2013. Thus, it is directed that as soon as the result is declared and it is found that some petitioners (students) have got supplementary or compartment, they may be allowed to fill up their forms for supplementary examination within a week thereafter, which shall be accepted by the Board.