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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5401/2017

ANSHIKA ARORA

..... Petitioner

Through : Mr.S.D.Windlesh, Adv.

versus

UNION OF INDIA & ORS

..... Respondents

Through : Mr.Rishabh Sahu and Mr.Sameer
Sharma, Advs. for R1
Mr.Amit Bansal, Adv. for R-2 & 3

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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30.06.2017

This writ petition is for a direction to the CBSE to reevaluate the answer sheet of the petitioner of English Core subject of Senior Secondary Exam, 2017 strictly as per the suggested valuation scheme issued by the respondent. Similar petitions viz., WP(C) Nos.5355/2017, 5247/2017, 5275/2017, 5297/2017, 5322/2017, 5361/2017 were listed on 23rd June, 2017 wherein learned ASG made a statement and the following order was passed :-

Mr.Sanjay Jain, learned ASG today makes a statement that notwithstanding the fact that the policy for re-valuation of the answersheet stands withdrawn with effect from 2017 examinations, in the peculiar facts and circumstances pointed out by the petitioners, if any of the petitioners were to apply to CBSE with a grievance that a particular answer-sheet has not been evaluated as per the concerned marking scheme circulated to the Head Examiner in respect of major subjects, whereupon CBSE will scrutinise such answer-sheets and take appropriate

remedial action, if required. He states that the concerned marking scheme shall be uploaded on the website of CBSE within a period of two working days.

Learned ASG further states that all such requests shall be considered by CBSE on 'first come first serve basis' i.e. those persons who have already applied for re-verification, their papers will be scrutinised on priority basis as per the marking scheme.

Mr. Sanjay Jain also states that CBSE will not act upon the undertakings given by the students to the effect that they cannot approach the Court on account of their having obtained photocopies of the answer-sheets.

The statement made by learned ASG is accepted by this Court and CBSE is held bound by the same.

However, this Court is of the view that the statement made by the learned ASG cannot be confined to the petitioners only or to those who have approached this Court. Consequently, the statement of learned ASG shall bind the CBSE with regard to those students as well, who have already applied with the similar grievance.

With the aforesaid observations, present writ petitions and applications stand disposed of.

Order dasti under the signatures of Court Master."

The counsel for the petitioner submits that the petitioner be also given the benefit of the above order and that the petitioner would file a representation today. In case the petitioner files a representation the same be considered within 3 days from today. No further orders are called for. The writ petition is disposed of.

Dasti under signature of the Court Master.

YOGESH KHANNA, J
(Vacation Judge)

JUNE 30, 2017
VLD