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**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CWP-5353-2025 (O&M)**

**Date of Decision : 14-05-2025**

**AMANPREET SINGH AND ORS**

**.....Petitioner(s)**

**VERSUS**

**CENTRAL BOARD OF SECONDARY EDUCATION AND OTHERS**

**.....Respondent(s)**

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Ms. R.K Grewal, Advocate and  
Mr. Sohail Singh, Advocate for the petitioners.

Mr. Munish Kapila, Advocate  
For respondent Nos.1 and 2.

Mr. Dilpreet Singh Gandhi, Advocate  
For the respondent Nos.3 and 4.

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**HARSIMRAN SINGH SETHI, J. (Oral)**

1. In the present petition, the grievance being raised by the petitioners is that the petitioner-students have been rusticated from the School due to altercation with other students, which took place while they were studying in Class-XII (Commerce). In October 2024, their names were struck off not to be given any further benefit to study in the respondent-School.

2. Learned counsel for the petitioner submits that the parents of the petitioner-students approached the respondent-School Authority that in case their children have to be rusticated, they should be given School Leaving Certificate so that they can get admission in any other school so that one precious year of their academic life is not wasted but, no such benefit was given rather for the practical examinations of Class-XII, were allowed to be taken by the petitioner-students but, for the main examinations, they were debarred treating them as not eligible.

3. The prayer of the petitioner-students was to allow them to appear in Class-XII (Commerce) examinations, which were to commence from 22.02.2025.

4. By an interim order dated 25.02.2025 passed by this Court, the petitioner-students were allowed to appear in the examinations provisionally and in fact, they have appeared in all the Class-XII examinations.

5. Upon notice of motion, the respondents have filed the reply wherein, the respondents have stated that apart from rustication from the School, the petitioner-students did not complete the minimum attendance required to appear in the Class-XII (Commerce) examinations hence, as they have failed to achieve the requirement of minimum attendance, the petitioner-students should not be declared eligible to appear in the examinations though, under the interim orders of the Court dated 25.02.2025, they have been allowed to appear in the examinations.

6. Learned counsel for the petitioner-students submits that the petitioner-students were not allowed to attend all the lectures after their rustication in October, 2024 and hence, if the benefit of the lecturers which were imparted after the rustication till the end of the academic year is

granted to the petitioner-students, almost all the petitioner-students will qualify, further the petitioner-students who have already appeared in the examinations, their results be directed to be released as, the final result of Class-XII (Commerce) has already been declared qua the other students.

7. I have heard the learned counsel for the parties and have gone through the records of the present case with their able assistance.

8. The main question on which the petitioner-students have been denied the benefit of appearing in the examinations is not only the rustication but, the fulfilment of minimum attendance required to appear in Class-XII (Commerce) Examinations.

9. Learned counsel for the respondents submits that there were 300 lectures which are to be imparted but all of the petitioners have not undertaken the required attendance for the said session in question.

10. Learned counsel for the respondents concedes the factum that starting from the month of October till the academic course finished, the petitioner-students were not allowed to attend the classes after their rustication from the rolls of School.

11. Learned counsel for the respondent-School further submits that approximately 60 lectures were delivered after the rustication of the petitioner-students.

12. Keeping in view the totality of facts and circumstances that in case, the benefit of 60 lectures were given to the petitioner-students which were held after their rustication, which lecture they were not allowed to attend, almost all the petitioner-students except petitioner Nos.2, 4, 6 and 17 will qualify the required parameters.

13. That being so, the students needs to be given the benefit of the lectures for which they were restrained from attending.

14. At this stage, learned counsel for the petitioner-students submits that the present petition be not treated as pressed on behalf of petitioner Nos.2, 4, 6 and 17, who after grant of benefit of 60 lectures are not able to qualify the requisites of minimum lectures attended.

15. Keeping in view the above, as the petition has not been pressed on students i.e. petitioner Nos.2, 4, 6 and 17 who does not fulfil the requisites for granting them the lectures which were conducted after their rustication, as the other petitioner-students fulfilled the requisites coupled with the fact that they have already undertaken the examinations keeping in view the interim order dated 25.02.2025 so as to save a precious year of such students, the present petition is allowed.

16. The petitioner-students except the petitioner Nos.2, 4, 6 and 17 on behalf of whom the petition has not been pressed are to be treated as eligible to appear in Class-XII (Commerce) examinations.

17. The result of the examinations which the petitioner-students have undertaken on the basis of the interim order dated 25.02.2025 passed by this Court, be treated as a valid appearance in the examinations and the C.B.S.E is directed to declare the result of the petitioner-students except the petitioner Nos.2, 4, 6 and 17, on behalf of whom the writ petition has not been pressed, within a period of **3 weeks** from the receipt of copy of this order.

18. Keeping in view the totality of the circumstances, as a compassionate view is being taken, this order is not to be treated as a

precedent for other students so as to maintain discipline within the school premises.

19. Pending application, if any, also stands disposed of.

14-05-2025  
Sapna Goyal

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

NOTE: Whether speaking: YES  
Whether reportable: NO