

Court No. - 10

Case :- WRIT - C No. - 40590 of 2023

Petitioner :- Vijay Patel

Respondent :- Union Of India And 2 Others

Counsel for Petitioner :- Piyush Patel, Pradeep Kumar

Counsel for Respondent :- A.S.G.I., Dhananjay Awasthi, G.K. Srivastava

Hon'ble Kshitij Shailendra, J.

1. Heard Shri Piyush Patel, learned counsel for the petitioner and Shri G.K. Srivastava, learned counsel for the Union of India and Shri Dhananjay Awasthi, learned counsel for the respondent No. 2.

2. In view of order proposed to be passed, it is not necessary to issue notice to the respondent No. 3.

3. The grievance of the writ petitioner is that the name of his father has been erroneously mentioned as "Arun Chand Patel" in place of correct name "Arun Chandra Patel" and in this regard, no action has been taken either by the Board or by the Institution, despite moving of applications.

4. Shri Dhananjay Awasthi, learned counsel for the respondent No. 2 has placed Annexure No. 5 to the writ petition, which is a copy of application dated 19.09.2023 addressed to the Principal, whereas Shri Piyush Patel, learned counsel for the petitioner has referred to identical application of the same date sent by the Principal to the Regional Officer of the Board.

5. Shri Awasthi submits that the Intermediate Examination was passed by the petitioner in the year 2012 and there are certain statutory time limits for undertaking the exercise of correction.

6. Be that as it may, since no order either way has been passed by the Board till today and there may be a dispute with respect to service of application in the Board, this writ petition is **disposed of** in the following terms:

(i) The petitioner shall serve a certified copy of this order before respondent No. 3, Principal, Ratna Memorial Public School (affiliated to Central Board of Secondary Education Delhi),

Gorakhpur within a period of **two weeks** from today.

(ii) The respondent No. 3, Principal, Ratna Memorial Public School (affiliated to Central Board of Secondary Education Delhi), Gorakhpur shall send the relevant documents to the Board within **two weeks** thereafter.

(iii) The Board shall take a decision on the petitioner's application, if forwarded by the Principal of the Institution, **by 15.03.2024**, after verifying the relevant records.

7. It is made clear that this Court has not examined the petitioner's claim for correction, considering the year of passing of Intermediate Examination by the petitioner and the Board shall be at liberty to examine the claim as per concerned Regulations/Guidelines/Norms and any other provision of law and shall serve a copy of decision so taken by registered post on the petitioner immediately after the decision is taken.

Order Date :- 4.12.2023

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