

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

**CWP No. 5715 of 2015
Decided on : 25.08.2015**

Anil Rana

... Petitioner

Versus

Central Board of Secondary Education and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Mr. Parveen K. Kataria, Advocate
for the petitioner.

Mr. Harsh Aggarwal, Advocate
for respondent No.1.

G.S. Sandhawalia , J. (Oral)

The prayer made in the present writ petition is for correction of the name of the petitioner from Anil Gupta to Anil Rana and for quashing the communication dated 01.05.2014 (Annexure P-18), wherein the Board rejected the claim of the petitioner on the ground that the correction could be ordered within 10 years of declaration of result of the Board's exam and could be done on the basis of the record of the school.

Counsel for the petitioner submits that the application was filed way-back on 06.01.2004 (Annexure P-4) and as per the said regulations, there was no such period of limitation prescribed at that point of time.

Vide amendment dated 21.06.2011, the 10 year period

stepped in. The factum of having filed the application on 06.01.2004 (Annexure P-4) has not been denied by the Board. The petitioner has placed sufficient material on record to show that public notices were also issued for the change of name and that he also has a passport, pan-card, an election commission voting card in his favour, whereby he is known as Anil Rana.

Merely, because the Board took no action on the first application filed way-back 11 years earlier and took 10 years to decide the said application, the change in the regulations could not be held against the petitioner and to his detriment.

In such circumstances, the communication dated 01.05.2014 (Annexure P-18) is quashed. The Board is directed to take a fresh decision on the said application dated 06.01.2004 (Annexure P-4), unfettered by the issue of delay.

The needful be done within a period of two months from the receipt of the certified copy of this order.

With the abovesaid observations, the present writ petition is disposed of.

AUGUST 25, 2015
Naveen

(G.S. SANDHAWALIA)
JUDGE