

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 219 of 2016

Miss Mamta Manda D/o Lt. Shri Suberaminiyam Manda Aged About 30 Years
R/o C/o Jwala Prasad Dubey Plot.No. 41, Mamta Niwas, Behind Mahavir
Residency P. O. Jagdalpur District Bastar (Chhattisgarh)

---- Petitioner

Versus

1. Chhattisgarh Board Of Secondary Education Through Secretary, Chhattisgarh
Board Of Secondary Education Pension Bada Raipur P. S. Raipur District
Raipur (Chhattisgarh)
2. District Education Officer Jagdalpur, P.S- Jagdalpur District Bastar
(Chhattisgarh)

---- Respondents

For Petitioner	:	Ms. Deepali Pandey, Advocate
For Respondent No.1	:	Shri Manoj Paranjpe, Advocate
For Respondent No.2	:	Shri Chandresh Shrivastava, Panel Lawyer

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/04/2016

1. This petition has been filed by the petitioner for a direction to the respondent-
Board to carry out amendment of the petitioner's name in certificate issued by
the respondent.
2. It is not in dispute that earlier when the certificate was issued in the name of the
petitioner, the petitioner intended correction and for this purpose, the petitioner
filed a suit and sought a declaration that in place of "Manda", "Dubey" be read
as the petitioner is the adopted daughter of Jwalaprasad Dubey. Thereafter, the

relevant certificate was amended in view of declaration by the Civil Court by striking out “Manda” and substituting “Dubey”.

3. The petitioner made similar prayer for correction in her certificate before the Central Board of Secondary Education that in place of “Manda”, her surname be recorded as “Dubey” on the basis of declaratory decree passed by Civil Court in her favour. This application was, however, rejected by the Central Board of Secondary Education.

It was thereafter that now the petitioner has moved an application before the Board of Secondary Education, Chhattisgarh, to again carry out change in the surname from “Dubey” back to “Manda”.

4. Learned counsel for the respondents submits that once the certificate has been corrected by the respondent- Board of Secondary Education as per the declaration given by the Civil Court, change is not permissible.
5. The correction in the certificate was carried out by the respondent-Board on the basis of a declaration given by the competent Court of civil jurisdiction. The prayer of the petitioner to again change the surname, which is contrary to the declaration of the civil Court, obviously could not be done by respondent – Chhattisgarh Board of Secondary Education and respondent-Board was fully justified in rejecting this prayer of the petitioner. Therefore, I do not find any merits in the petition.
6. The petition is therefore, dismissed. However, it would always be open for the petitioner to challenge the decision of the Central Board of Secondary Education in properly constituted petition.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge