

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

**CWP No.23388 of 2015
Decided on :05.12.2016**

Lovleen Kaur

... Petitioner

Versus

Central Board of Secondary Education and another

... Respondents

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

Present : Mr. Aman Bansal, Advocate
for the petitioner.

Mr. Nitin Kant Setia, Advocate
for the respondents.

G.S. Sandhawalia, J. (Oral)

The petitioner seeks correction in the mother's and father's name in the mark-sheets and pass certificate of Class 10th and 12th and migration certificate issued by the respondent-Board (Annexures P-1 to P-3). The parentage mentioned in the Senior School Certificate Examination (Annexure P-1) and the detailed mark sheet dated 24.05.2012 (Annexure P-3) as Sukhpal Kaur and Parampal Singh.

The petitioner claims the parentage as Gurjit Kaur and Gagandeep Singh, as per the Birth Certificate (Annexure P-4). Reliance is also placed upon a decree dated 13.07.2015 (Annexure P-5). Admittedly, the respondent-Board is not party to the said civil suit.

The issue has been agitated before the respondent-Board by way of representation dated 07.08.2015 (Annexure P-8) and legal notice dated 10.10.2015.

The stand of respondent-Board in the reply is that there is a

alternative remedy available to the petitioner to claim the same before the competent Court of jurisdiction.

Thus, it is apparent that the issues which have been raised are disputed questions as to who was the biological father and mother and on what basis the petitioner seeks the claim of change in the name of the parents in the concerned certificates and whether he would be entitled for the same. It is settled principle that the writ Court would not delve into disputed questions of facts on the basis of affidavits of the parties.

In such circumstances, the present writ petition is dismissed with liberty to the petitioner to avail his remedy in accordance with the law.

DECEMBER 05, 2016
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes

Whether Reportable:

No