

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

Civil Writ Petition No.26899 of 2016

Date of decision: 23.12.2016

Raj Pal Yadav

...Petitioner

Versus

Central Board of Secondary Education and others

...Respondents

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

Present: Mr. S.P.Yadav, Advocate for the petitioner.

Mr. Nitin Kant Setia, Advocate for respondent no.1.

Mr. Rajbir Singh, Assistant Advocate General, Haryana
for respondent no.3.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks correction of date of birth in his daughter's certificate dated 28.5.2015 (Annexure P/1) issued by respondent-Board. The said certificate depicts the date of birth as 26.11.2001. Reliance has been placed upon the birth certificate dated 23.7.2015 (Annexure P/2) which was registered on 30.11.1999 wherein date of birth was mentioned as 26.11.1999.

It is the case of the petitioner that respondent no.2-school had initiated request for correction in the date of birth vide letter dated 3.3.2016 (Annexure P/3) with the respondent-Board. Thereafter, a legal notice dated 5.12.2016 (Annexure P/4) had been served upon the respondent-Board but no action has been taken on the same on merits by the respondent-Board.

Notice of motion.

Mr. Nitin Kant Setia, Advocate and Mr. Rajbir Singh, Asstt.

Advocate General, Haryana accept notice on behalf of respondents no.1 and

3 respectively.

Counsel for the petitioner submits that he would be satisfied if a direction is issued to the respondent-Board to decide the legal notice dated 5.12.2016 (Annexure P/4) within some fixed time frame.

Accordingly, without commenting on the merits of the case, the present writ petition is disposed of with a direction to the respondent Board to decide the said legal notice dated 5.12.2016 (Annexure P/4) in accordance with law within a period of two months from the date of receipt of certified copy of this order. It is open to the respondent-Board to call for any other necessary document(s), if so required.

In case any adverse order is to be passed then a reasoned order be passed by the said respondent and be conveyed to the petitioner.

December 23, 2016
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No