

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

**CWP No.4646 of 2016
Decided on : 03.11.2016**

Quincy Katodia

... Petitioner

Versus

Union of India & others

... Respondents

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

Present: Mr.Harish Goyal, Advocate, for the petitioner.

Mr.Ramandeep Singh, Advocate, for
Mr.A.K.Bansal, Advocate, for respondent No.1.

Mr.N.K.Setia, Advocate, for respondent No.2.

Mr.Jasdeep Singh, Advocate, for respondent No.3.

None for respondent No.4.

G.S. Sandhawalia, J. (Oral)

Petitioner seeks quashing of the order dated 22.01.2016 (Annexure P2), passed by respondent No.2-Central Board of Secondary Education, whereby her request for correction in the spelling of her mother's name, has been declined on the ground that the school record does not support the desired correction. The correction which is sought is only regarding whether alphabet 'w' or 'v' figures in the name of 'Sukhvinder Kaur', in the Secondary School Examination Certificate of the petitioner dated 28.05.2015 (Annexure P1).

It is the case of the petitioner that the correct spellings in the name of petitioner's mother is 'Sukhwinder Kaur'. Reliance has been placed on various documents, including the Passport (Annexure P3), birth certificate issued by the Registrar of Births and Deaths (Annexure P4), Passport of the mother of the petitioner (Annexure P6), AADHAR Card issued by Government of India (Annexure P7) and PAN Card issued by the Income Tax Department (Annexure P8), in support thereof.

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

CWP-4646-2016

-2-

As noticed, the only defence of the respondent-Board is that at the time of original admission in the school, entries had been made and accordingly, the name has been registered as 'Sukhvinder Kaur'.

The said stand of the Board, in the opinion of this Court, is without any basis and unreasonable. The change in the spelling, as such, would not change the name of the mother and it is only a matter as to how it is to be pronounced. The birth certificate issued by the Registrar shows that the date of birth of the petitioner is 11.10.1999 and the said certificate was registered a week later, on 18.10.1999, whereby the name of the mother has been shown as 'Sukhwinder Kaur'. Such certificate has a high evidentiary value. Only because a mistake has been committed while filling the admission form for getting admission in the school, as such, would not disentitle the petitioner to seek correction in the name of her mother.

Accordingly, the present writ petition is allowed and the order dated 22.01.2016 (Annexure P2) is quashed. The respondent-Board is, accordingly, directed to correct the name of mother of the petitioner in the Secondary School Examination Certificate of the petitioner dated 28.05.2015 (Annexure P1). The petitioner shall surrender the original certificate (Annexure P1) and a fresh one will be issued by the Board by making the necessary corrections. It will be open to the Board to incorporate the fact that there is a correction made in the spellings in the mother's name, for the purposes of maintaining proper record. Needful be done within a period of one month from the receipt of a certified copy of this order.

OCTOBER 3rd, 2016
sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No