

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

Civil Writ Petition No.8900 of 2016

Date of decision: 4.11.2016

Sumit Sharma

...Petitioner

Versus

Central Board of Secondary Education and another

...Respondents

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

Present: Mr. S.S.Behl, Advocate for the petitioner.

Mr. Nitin Kant Setia, Advocate for the respondents.

G.S.SANDHAWALIA, J. (Oral)

Affidavit of petitioner along with Annexures P/4 to P/8 has been filed in Court today.

The same are taken on record.

The petitioner seeks correction in the spellings of his name from 'Sumeet Sharma' to 'Sumit Sharma' in Secondary and Senior Secondary mark sheets dated 26.5.2009 and 2.8.2011 (Annexure P/2-Colly).

Counsel for the petitioner submits that application dated 6.4.2016 (Annexure P/3) had been filed with the respondent Board for changing the spelling of his name from 'Sumeet Sharma' to 'Sumit Sharma'. The petitioner also got notified the said change in the Haryana Government Gazette notification dated 21.6.2016 (Annexure P/7). His contention is that this was done at the instance of the advise of the officer of the respondent-Board.

The said relief has been opposed by filing written statement. It is, however, not disputed that no action has been taken as such by the respondent-Board on the representation dated 6.4.2016 (Annexure P/3).

Pardeep Kumar
27/11/2016
I attest to the accuracy and integrity
of this document
Punjab and Haryana High Court,
Chandigarh

Regulation relied upon also provide that change should be notified in the Government Gazette.

The Board is under bounden duty to act upon the representation and should have decided the same at the first instance rather than forcing the petitioner to approach this Court.

Accordingly, the present writ petition is disposed of with a direction to the respondent Board to decide the said representation dated 6.4.2016 (Annexure P/3) in accordance with law. The respondent-Board shall also consider all the documents which have been appended in support of the writ petition. It is open to the respondent-Board to call for any other necessary document(s), if so required.

Let necessary exercise shall be completed within a period of three months from the date of receipt of certified copy of this order.

November 04, 2016
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No